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THE REFORMATION
OF THE CHURCH OF ENGLAND

[A.D. 1514—1547]

THE REFORMATION

F THE CHURCH OF ENGLAND

Its History, Principles, and Results

[A.D. 1514—1547]

BY THE

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"... *Boni medici est ab infirmo morbum tollere et non infirmum corpus destruere*"

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CHAPTER I

THE ORIGIN OF THE REFORMATION

CHARACTER, free-will, and the accidents of life have their place in the corporate existence of the Church as in that of human nature, and the integral constitution of each is capable of great variety and great change, without any destruction of its integrity.

An introductory analogy

The strength and beauty of the human body and the human mind may be developed or they may be cramped, but in either case the body and the mind still constitute a nature that is human; while it is evident that education, climate, and other physical or moral influences always exercise great power in determining the particular character of nations and of individual persons, both as regards body and mind: so that the strength and beauty of one place or one age may be quite different from that of another. It is also evident that vice, violence, and disease may bring about great moral and physical degeneracy; and that yet it may be possible for the degenerated race or individual to be restored to its normal condition by curative processes and influences from within and from without. But, come what may, the integral constitution of human nature remains under all these influences and changes of

CHAP I

condition: and though at one time it exists in a naturally normal, at another in a degenerate or abnormal, at a third in a restored condition; though now in the form of an ancient Greek, and now in that of a modern Englishman, it is still human nature in its integrity until death effects the work of dissolution.

Variety and change in the Church;

have always existed,

and sometimes been very necessary

A similar constancy as to vital characteristics, and a similar variety as to modes of existence, may be observed in the Church. Certain Divine principles constitute its life, and the expulsion of these from a religious community brings about its dissolution as a church: but the existence of them is consistent with great variety of external character, with a degenerated constitution, and with processes of restoration. Thus the Divine principles of Baptism, the Holy Eucharist, and the Ministry, are unchangeable; but there is much variety in the Liturgical forms by which these principles are exhibited and developed. Thus the Church has presented a very different aspect at different times and in different places, and yet has always been the same in its integral characteristics. Thus political, social, and moral influences have sometimes gathered disease and degeneracy around the vital principles of the Divine institution, and reformation has then become necessary.

In bringing these considerations to bear on that complex series of events which we comprehensively include, for convenience, under one general name as the Reformation of the Church of England, two axioms may be laid down for the future guidance of both author and readers in the course of the following history:—

Church of England

1. The Church of England has had a continuous

and never-ceasing vitality in every stage of its ancient and modern existence.

continuous; its changes do not necessarily indicate error before or

2. Such variations as are apparent between the ancient and modern Church of England do not necessarily indicate error in either, but must be judged on their respective merits, and with reference to the circumstances of the periods to which they belong.

What the Reformation actually was

The English Reformation must be properly defined, indeed, as a readjustment of the Constitutional, Doctrinal, and Ritual system of the Church of England. The idea that it was the foundation of a new Church, or that it was intended to be so by the Reformers, is wholly unjustified by history, and may be dismissed, for the present at least, as an absurd error. How far, on the other hand, such a readjustment was necessary, what mistakes were made, or whether any were made in carrying it out, and what are the advantages or disadvantages which have ensued, are questions which it will be the object of the following pages to elucidate.

The most familiar aspect under which the Reformation presents itself to Englishmen is as a breach between England and Rome. This is, however, only one side of a history which has many other sides to be exhibited. Good men of that period wanted to free the Church of England from other tyrannies besides that of the Pope, and to effect changes which, standing by themselves, would probably have been accepted by him with little or no opposition.

Yearning of good men everywhere for reformation

For many years before the breach with Rome occurred there had been a widespread consciousness that abuses had sprung up in our ecclesiastical system, that the religious institutions of the country were not fulfilling their vocation to their due extent, and that, as the inevitable consequence, practical holiness was growing more and more rare. Not that this was the case in England alone. The clergy and laity throughout Europe were conspicuously degenerated in the age before the Reformation.

Unsaintliness of the period preceding it,

"The fifteenth century is eminently barren in saints; men were occupied with the fresh surging of political thought, and the sensual glories of heathendom; the classic authors for the scholar, and the pagan sculptures for the artist, really possessed men's souls. The real leaders of European thought were no longer the pupils of Aquinas or Buonaventura, but Politian, and Marsilius Ficinus, and the Medici. The higher intellects sneered at those ceremonies and beliefs which they as princes and prelates were paid to maintain. Among the baser sort 'the love of the many had waxed cold,' but they were in general sedulous in the external profession of religion. Dimmed as their spiritual perceptions were, the belief in the great objective truths of religion remained unimpaired. They continued to place great faith in the external ordinances of religion, while divorcing them from their end as means of grace. And so they went on through life in an infructuous round of barren observances, till they came to the close of a life of alternate sacrament and sin. And if the deep instincts of the regenerate soul, never entirely faithless to the grace of baptism, did from time to time acknowledge the hollowness of this condition of things, they were softened by an application of the coarsest form of the power of the keys, by the indulgences of Tetzel and his companions."[1]

Consequent outbursts of fanatic zeal

From convictions which good men felt that such a state of unspirituality was growing in the Church, there sprung those loud cries for reformation which were raised in so many quarters at home and abroad. Even the wild follies of Wickcliffe, Huss, Jerome of Prague, and many others of their class were but the exaggerated outcome of these convictions, and much of these men's wildness and folly was provoked by the stolid opposition with which their better aspirations were met by those in authority. But there are still more trustworthy witnesses than these to the necessity of a reformation of the Church, men equally zealous, but against whom no such follies can be charged; and it may be well to give at the outset some specimens of their testimony.

---

[1] Forbes, Bp. of Brechin, on XXXIX. Articles, i. 170. Cardinal Bellarmine spoke in equally strong language in the sixteenth century: "Some years before the rise of the Lutheran and Calvinistic heresy, according to the testimony of those who were then living, there was almost an entire abandonment of equity in the ecclesiastical judgments, in morals no discipline, in sacred literature no erudition, in divine things no reverence: religion was almost extinct." [Concio xxviii. Opp. vi. 296: ed. 1617.]

So far back as the Council of Pisa, held in the year 1409, orthodox Englishmen had spoken out boldly respecting this necessity: and they continued to do so whenever opportunity was offered. But opportunities for speaking out boldly were not frequent; nor were they of any great value as regarded the wide diffusion of opinion before the days of the printing press.

Reformations suggested by Oxford divines at the Council of Pisa, A.D. 1409

In these early days Oxford took a prominent lead in the demand for a reformation of the Church of England. The Council of Pisa was summoned to meet in 1409 for the purpose of putting an end to the miseries caused by the rival Popes, Benedict XIII. and Gregory XII. Among the English deputies to that Council were the two bishops of Salisbury and St. David's, the former, Robert Hallam, being the spokesman and head of the deputation, as he was of a similar embassy sent a few years afterwards to the Council of Constance. When appointed to this duty, Hallam (who had himself been Chancellor of Oxford) at once took advice in the University as to the course he should pursue, and the document which resulted, sent in the form of a memorial from Dr. Richard Ullerston, then or recently Chancellor, is still is existence.[2] This memorial appears to have been used by the Bishop of Salisbury as a kind of brief from which to state before the Council of Pisa the necessities and the wishes of the Church of England. Among other abuses to which it refers we may particularly notice that the prelates are accused of heaping together many benefices: and of being often so entirely aliens to the Church of England as not to know the vulgar tongue of the people among whom they ought to have ministered. The exemption of monastic bodies from episcopal control, the dispensations given for non-residence and pluralities, are strongly dwelt upon; and it is shown that appeals to Rome are a source of many evils from the facilities which they offer for bribery and evasion of justice. From a constitutional point of view, this important document is strongly adverse to Roman supremacy in England; and the grave wisdom with which it is written ranks it far above any of the Lollard or Wickliffite passionate appeals for reformation.

Dr. Abendon at the Council of Constance, A.D. 1415

Of an equally grave character is a sermon which was preached at the Council of Constance, by another Oxford doctor, Hottric Abendon, on Sunday, October 27, 1415.[3] This sermon was one long cry for a reformation of the Church of England;

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[2] Several MSS. of it remain in the library of Trinity College, and elsewhere at Cambridge. Copies were made by order of Henry IV., and no doubt it had a wide circulation. Van der Hardt prints it from a Cambridge MS. in his history of the Council of Constance, i. 1126.

[3] This name is not to be traced in the ordinary sources of information respecting Oxford men; but the name is so strange for an Englishman, that it looks like a mistake; and perhaps *Henry* Abendon, Warden of Merton in 1421, was the preacher.

and the preacher says that the Bishop of Lincoln had preached before the Pope in the same strain. He protests especially against exemptions, quoting St. Bernard and Peter of Blois in support of his argument, and declaring that the pastoral work of the Anglican Church was greatly hindered by them. On the bishops Abendon is very severe, alleging that many busied themselves in litigious and lucrative pursuits to the neglect of their proper studies. Harping upon his text, "Be ye filled with the fruits of righteousness," he accuses the bishops of being very profound and subtle as to the best ways of seeking the fruits of prebends, but, on the other hand, of knowing little or nothing about the science of morals or that of theology.

A.D. 1415

With a quaint, grave humour, Abendon applies to the non-resident clergy of all grades the words of Prov. vii. 19: "The good man is not at home, he is gone a long journey. He hath taken a bag of money with him, and will come home at the full moon." [Vulg.] When the harvest moon comes, says the preacher, and the barns are full, then these beneficed men will be at home. At other times they live far enough off from their parishes, going even to the gate of the Pope himself, and not forgetting to carry their bags of money, which they spend in luxurious living and bribery, or, still worse, in usury. "O bishops of Christ!" he goes on to say, with no little eloquence, "O princes of the Church, O shepherds of shepherds, arise, for the love of Jesus, and bring them back to their pastures, each one to his own ecclesiastical fold. According to the secular laws fugitive servants may be brought back to obedience even with stripes.

Stretch forth therefore the rod of discipline, if it be necessary; . . . compel all who have care of souls to return to their flocks, to visit their sheep, to live among them, to feed and to teach the people of God." Then he tells the bishops plainly that this matter rests in their hands to be done or to be left undone; that the honour of God, the health of the Church, and the good of all Christian people, depends on their action or inaction, and that he trusts the reform he desires may be one of many benefits arising by the grace of God from the gathering of the Council of Constance.[4]

Official demands for a Reformation, A.D. 1425

The hopes of this wise and religious class of reformers were set upon the authoritative action of a general council of the Church, in which they rightly looked for the highest gift of Divine guidance. And that they were not merely a few ascetic or crotchety clergy who had such opinions about the necessity for a reformation is shown by an official document sent from the Kings of France and England to the Pope in the year 1425, before the assembly of the Council of Basle, and by the instructions given to the English deputies who attended there by the Archbishops of Canterbury and York, and other leading men of the King's Council.[5] Both these documents urge the great need that existed for the consideration of the Reformation question by the Council about to assemble. When it did actually meet, however, as it did in 1431, it became engrossed by another question, the dispute between itself and the Pope as to which had supreme authority in the Church, and a great opportunity was lost for ever.

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[4] Walchius: Monumenta medii ævi, ii. 183.

[5] Brown's Fasciculus, vol. I. vi., x. Convocation sent delegates with similar demands, as mentioned in a subsequent page.

Ximenes a reformer of the Church of Spain, A.D. 1497

The great Cardinal Ximenes effected some important reforms in the Church of Spain at the close of the fifteenth century. Queen Isabella obtained a bull from the Pope in 1494 for the reformation of monasteries, and she acted, of course, on the advice of Ximenes, to whom its practical administration fell. The Cardinal was himself an Observant Friar, that is, a strict Franciscan, who observed his rule as distinguished from the Conventuals, who lived in great luxury and managed to secure great estates. He set to work to reform his own order first, and then the diocese of Toledo (of which he was archbishop) in general. But opposition met him at the outset. An agent was sent secretly by the clergy to the Papal court, and it was only by the vigorous act of sending a quick sailing ship to overtake him that Ximenes prevented the appeal from being lodged at Rome. In the end a thousand Franciscans emigrated to Barbary rather than submit to the reforms he proposed, and Alexander VI. issued a brief on November 9, 1496, forbidding all further interference, which, however, was withdrawn in the following year, when full powers of reformation were given by another bull to Ximenes and the papal legate.[6]

Wolsey a reformer

At this time there was so close an intercourse between Spain and England as to make it very probable that Wolsey was consciously following in the steps of Ximenes when he undertook the work

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[6] Prescott's Ferdinand and Isabella, ii. 481, ed. 1838. The bull issued to Ximenes in 1497 seems to have been the precedent for a similar one issued to Wolsey twenty years afterwards.

Dean Colet's Convocation Sermon on Reformation, A.D. 1511

of reforming the Church of England. But about the time when Wolsey was coming into the full tide of power, in the year 1511, a memorable sermon was preached before the Convocation of Canterbury, in St. Paul's Cathedral, by Colet, then Dean of St. Paul's. He was a man of some eccentricity, over-confident in argument, and not so deeply learned in theology as some writers have taken for granted. But of his truthfulness and earnest desire to promote holy living there can be no doubt: and his testimony to the need of reformation in the Church of England is that of a witness whose character makes it worth while to give his words in some detail.

The sermon was preached on the text, Romans xii. 2: "Be not conformed to this world; but be ye transformed by the renewing of your mind, that ye may prove what is that good, and acceptable, and perfect will of God." "I am about," he said,—

> "To exhort you reverend fathers to the endeavour of reformation of the Church's estate; because that nothing hath so disfigured the face of the Church as hath the fashion of secular and worldly living in clerks and priests."

After quoting St. Paul against conformity to the world, and also St. John against the "lust of the flesh, the lust of the eyes, and the pride of life," he goes on to say:—

Clergy hankering after better preferments;

> "And, first, for to speak of pride of life, how much greediness and appetite of honour and dignity is now-a-days in men of the Church. How run they, yea, almost out of breath, from one benefice to another, from the less to the more, from the lower to the higher. Who seeth not this? who seeing this, sorroweth not? Moreover, these that are in the same dignities, the most part of them do go with so stately a

and too lordly in their ways

countenance and with so high looks, that they seem not to be put in the humble bishopric of Christ, but rather in the high lordship and power of the world, not knowing nor advertising what Christ, the master of all meekness, said to His disciples, whom He called to be bishops and priests,—'the Son of man came not to be ministered unto, but to minister;' by which words our Saviour doth plainly teach that the mastery in the Church is none other thing than a ministration, and the high dignity in a man of the Church to be none other thing than a meek service.

They are also worldly, luxurious,

"The second secular evil is carnal concupiscence. Hath not this vice so grown and waxen in the Church as a flood of their lust? so that there is nothing looked for more diligently in this most busy time, of the most part of priests, than that that doth delight and please the senses. They give themselves to feasts and banqueting, they spend themselves in vain babbling, they give themselves to sports and plays, they apply themselves to hunting and hawking, they drown themselves in the delights of the world. Procurers and finders of lusts they set by. Against which kind of men Jude the apostle crieth out, in his Epistle, 'Woe unto them which have gone the way of Cain,' &c.

and covetous

"Covetousness is the third secular evil, which St. John calls 'concupiscence of the eyes;' St. Paul calleth it idolatry. This abominable pestilence hath so entered in the mind almost of all priests, and so hath blinded the eyes of the mind, that we are blind to all things but only those which seem to bring unto us some gains. For what other thing seek we now-a-days in the Church than fat benefices and high promotions? yea, and in the same promotions, of what other thing do we pass upon than of our titles and rents? That we care not how many, how chargeful, how great benefices we take, so that they be of great value. O covetousness! St. Paul justly called thee the root of all evil. Of thee cometh this heaping of benefices upon benefices; of thee so great pensions assigned of many benefices resigned; of thee all the sueing for tithes, for offerings, for mortuaries, for dilapidations, by the right and title of the Church; for which thing we strive no less than for our own life. O covetousness! of thee cometh the cor-

Excess of pluralities.

Too much standing out for money rights

ruptions of courts, and these daily new inventions wherewith the silly people are so sore vexed—of thee come these chargeful visitations of bishops. Of thee cometh this fervent study of ordinaries to dilate their jurisdictions; of thee cometh this raging contention in ordinaries, of the insinuation of testaments; of thee cometh the undue sequestration of fruits; of thee cometh the superstitious observing of all those laws that sound to any lucre, setting aside and despising those that concern the amendment of manners. Why should I rehearse the rest? To be short, and to conclude at one word; all the corruptness, all the decay of the Church, all the offences of the world, come of the covetousness of priests.

Clergy too much employed in secular offices

"The fourth secular evil, that spotteth and maketh evil-favoured the face of the Church, is the continual secular occupation wherein priests and bishops now-a-days do busy themselves, the servants rather of men than of God—the warriors rather of this world than of Christ. For the Apostle Paul writeth to Timothy: 'No man being God's soldier, turmoils himself with secular business.' The warring of them is not carnal, but spiritual. For our warring is to pray, to read and study the scriptures, to preach the word of God, to minister the sacraments of health, to do sacrifice for the people, and to offer hosts for their sins. . . . Without doubt, of this secularity, and that clerks and priests (leaving all spiritualities) do turmoil themselves with earthly occupations, many evils do follow. First, the dignity of priesthood is dishonoured, which is greater than either the king's or emperor's—it is equal with the dignity of angels. But the brightness of this great dignity is sore shadowed, when priests are occupied in earthly things, whose conversation ought to be in heaven.

"Secondarily, priesthood is despised when there is no difference betwixt such priests and lay people.

"Thirdly, the beautiful order and holy dignity in the Church is confused, when the highest in the Church do meddle with vile and earthly things, and in their stead vile and abject persons do exercise high and heavenly things.

"Fourthly, the lay people have great occasion of evils and cause to fall, when those men whose duty it is to draw men from their affection of this world by their continual conversation in this world, teach men to love this world, and of the love of the world cast them down headlong to hell.

"Moreover, in such priests that are so busied there must needs follow hypocrisy. For when they be so mixed and confused with the lay people, under the garment and habit of a priest, they live plainly after the lay fashion, . . . at last ignorance and blindness; when they are blinded with the darkness of this world they see nothing but earthly things."

To these causes, viz., the secularity of the priests and their conformity to the world, the preacher attributes all the evils which have come upon the Church, and the exclusion from it of that charity which is the root of all spiritual life. He, therefore, earnestly calls the attention of convocation to the necessity of reformation.

Reformation must begin with the bishops

"This reformation and restoring of the Church's estate must needs begin of you our fathers, and so follow in us your priests, and in all the clergy—you are our heads—you are an example of living unto us. Unto you we look as unto marks of our direction. In you, and in your lives, we desire to read as in lively books, how and after what fashion we may live. Wherefore, if you will ponder and look upon our motes, first take away the blocks out of your eyes. You spiritual physicians, first taste this medicine of purgation of manners, and then after offer us the same to taste.

New laws not wanted,

but enforcement of those existing

"The way whereby the Church may be reformed into better fashion is not for to make new laws, for there be laws many, enough, and out of number, as Solomon saith, 'Nothing is new under the sun.' For the evils that are now in the Church were before in time past, and there is no fault but that the fathers have provided very good remedies for it. There are no trespasses but that there be laws against them in the body of the canon law; therefore it is no need that new laws and constitutions be made, but that those that are made already be kept. Wherefore, in this your assembly, let those laws that are made be called before you and rehearsed,—those laws (I say) that restrain vice and those that further virtue.

As against ordination of men without proper inquiry;

"First, Let those laws be rehearsed that do warn you fathers that you put not over soon your hands on every man, or admit unto holy orders. For there is the well of evils, that the broad gate of holy orders opened, every man that offereth himself is admitted without pulling back. Thereof springeth and cometh out the people that are in the Church, both of unlearned and evil priests. It is not enough for a priest (after my judgment) to construe a collect, to put forth a question, or to answer to a sophism; but much more a good, a pure, and a holy life, approved manners, meet learning of Holy Scripture, some knowledge of the sacraments;—chiefly, and above all things, the fear of God and love of the heavenly life.

against *nepotism* and preferment of insufficient priests;

"Let the laws be rehearsed that command that benefices of the Church be given to those that are worthy; and that promotion be made in the Church by the right balance of virtue, not by carnal affection—not by the acceptance of persons; whereby it happeneth now-a-days that boys for old men, fools for wise men, evil for good, do reign and rule.

against simony;

"Let the laws be rehearsed that war against the spot of simony—which corruption, which infection, which cruel and odious pestilence so creepeth now abroad, as the canker evil in the minds of priests, that many of them are not afraid now-a-days, both by prayer and service, rewards and promises, to get them great dignities.

against non-residence;

"Let the laws be rehearsed that command the personal residence of curates in their churches. For of this many evils grow, because all things now-a-days are done by vicars and parish priests; yea, and those foolish also and unmeet, and oftentimes wicked; that seek none other thing in the people than foul lucre, whereof cometh occasion of evil heresies and ill Christianity in the people.

against clerical secularity;

"Let be rehearsed the laws and holy rules given of fathers, of the life and honesty of clerks. That forbid that a clerk be no merchant, that he be no usurer, that he be no hunter, that he be no common player, that he bear no weapon; the laws that forbid clerks to haunt taverns; that forbid them to have suspected familiarity with women; the laws that command soberness, and a measurableness in apparel, and temperance in adorning of the body.

against similar faults in the monks

"Let be rehearsed also to my lords, these monks, canons, and religious men, the laws that command them to go the strait way that leadeth unto heaven, leaving the broad way of the world; that command them not to turmoil themselves in business, neither secular nor other; that command that they sow not in princes' courts for earthly things; for it is in the Council of Chalcedon, that monks ought only to give themselves to prayer and fasting, and to the chastising of their flesh and observing of their rules.

The bishops to look to their own errors

"Above all things, let the laws be rehearsed that pertain to and concern you, my reverend fathers and lord bishops, laws of your just and canonical election, in the chapters of your churches with the calling of the Holy Ghost. For because that is not done now-a-days, and because prelates are chosen oftentimes more by favour of men than by the grace of God, therefore truly have we not a few times bishops full little spiritual, men rather worldly than heavenly, savouring more the spirit of this world than the spirit of Christ.

Some of them worldly;

others non-resident, and negligent of their duties;

"Let the laws be rehearsed of the residence of bishops in their dioceses; that command that they look diligently and take heed to the health of souls; that they sow the word of God; that they show themselves in their churches at the least on great holidays; that they do sacrifice for the people; that they hear the causes and matters of poor men; that they sustain fatherless children and widows; that they exercise themselves in works of virtue.

others spending the money of the Church on mere grandeur

"Let the laws be rehearsed of the good bestowing of the patrimony of Christ; the laws that command that the goods of the Church be spent, not in costly buildings, not in sumptuous apparel and pomps; not in feasting and banqueting, not in excess and wantonness, not in enriching of kinsfolk, not in keeping of dogs; but in things profitable and necessary to the Church. For when St. Augustine, sometime bishop of England, did ask Pope Gregory, how that the bishops and prelates of England should spend their goods that were the offerings of faithful people; the said Pope answered (and this answer is put in the Decrees, in the 12th chapter and 2d question), that the goods of bishops ought to be divided into four parts, whereof one part ought to be to the bishop and his household, another to his clerks, the third to repair and uphold his tenements, the fourth to the poor people.

Bishops' courts need reform;

"Let the laws be rehearsed, yea and that oftentimes, that take away the filth and uncleanness of courts; that take away those daily new found crafts for lucre; that busy them to pull away this foul covetousness, which is the spring and cause of all evils; which is the well of all iniquity. At last let be renewed those laws and constitutions of fathers of the celebration of councils, that command provincial councils to be oftener used for the Reformation of the Church. For there never happeneth anything more hurtful to the Church of Christ than the lack both of council general and provincial—when these laws and such other are rehearsed that be for us, and that concern the correction of manners, there lacketh nothing, but that the same be put in execution with all authority and power. That at once (seeing we have a law) we live after the law. For which things with all due reverence I call chiefly upon you fathers. For this execution of the laws and observing of the constitutions, must needs begin of you, that ye may teach us priests to follow you by lively examples, or else truly it will be said of you, 'They lay grievous burdens upon other men's backs, and they themselves will not so much as touch them with their little finger.'

and provincial councils ought to be held

"Forsooth, if ye keep the laws, and if ye reform first your life to the rules of the canon laws, then shall ye give us light (in the which we may see what is to be done of our part), that is to say the light of your good example, and we seeing our fathers so keeping the laws, will gladly follow the steps of our fathers. The clergy and spiritual part once reformed in the Church, then may we with just order proceed to the reformation of the lay part; which truly will be very easy to do, if we first be reformed. For the body followeth the soul, and such rulers as are in the city, like dwellers be in it—wherefore, if priests that have the charge of souls be good, straight the people will be good. Our goodness shall teach them more clearly to be good than all other teachings and preachings.

When clergy reformed, laity will follow

Our goodness shall compel them into the right way, truly more effectually than all your suspendings and cursings. Wherefore, if ye will have the lay people to live after your wish and will, first live you yourselves after the will of God, and so (trust me) ye shall get in them whatsoever ye will.

Thus may the bishops be honoured and obeyed

"Ye will be obeyed of them, and right it is. For in the Epistle to the Hebrews these are the words of St. Paul to the lay people, 'Obey your rulers, and be you under them.' But if ye will have this obedience, first perform in you the reason and cause of obedience which the said Paul doth teach, and it followeth in the text, 'Take you heed diligently, as though ye should give a reckoning for their souls,' and they will obey you.

"You will be honoured of the people; it is reason. For St. Paul writeth unto Timothy, 'Priests that rule well are worthy double honours, chiefly those that labour in word and teaching.' Therefore, if ye desire to be honoured, first look that ye rule well, and that ye labour in word and teaching, and then shall the people have you in all honour.

"You will reap their carnal things, and gather tithes and offerings without any striving—right it is. For St. Paul, writing to the Romans, saith, 'They are debtors, and ought to minister unto you in carnal things;' first, sow you your spiritual things, and then ye shall reap plentifully their carnal things. For truly that man is very hard and unjust that 'will reap where he never did sow, and gather where he never scattered.'

And the Church have true liberty

"Ye will have the Church's liberty, and not to be drawn before secular judges; and that also is right. But if ye desire this liberty, first unloose yourselves from the worldly bondage, and from the services of men, and lift up yourselves into the true liberty, the spiritual liberty of Christ, into grace from sins, and serve your God and reign in Him, and then (believe me) the people will not touch the anointed of their Lord God. . . .

"These are they, reverend fathers and right famous men, that I thought to be said for the reformation of the Church's estate. I trust ye will take them of your gentleness to the best. And if peradventure it be thought that I have past my bounds in this sermon, or have said anything out of temper, forgive it me, and ye shall forgive a man speaking of very zeal to a man sorrowing the decay of the Church; and consider the thing itself, not regarding my foolishness; consider the miserable form and state of the Church; and endeavour yourselves with all your minds to reform it.

"Suffer not, fathers, this your so great a gathering to depart in vain; suffer not this your congregation to slip for nought. Freely ye are gathered oftentimes together (but by your favour to speak the truth), yet I see not what fruit cometh of your assembling, namely, to the Church.

"Go ye now in the Spirit that ye have called on, that by the help of it, ye may in this your council find out, discern, and ordain those things that may be profitable to the Church, praise unto you, and honour unto God: unto whom be all honour and glory for ever and ever. Amen."[7]

Such practical abuses, however, still lingered on

In this earnest and vigorous appeal to the representatives of the clergy and to the bishops, we may observe that Colet looked upon the decay of religion throughout the Church as the result of evils and abuses among the clergy, the nature of which is such that they cannot be said to have been brought about by the ecclesiastical or theological system which characterised the pre-Reformation Church of England. Complaints of a similar description were made by Latimer[8] forty years afterwards, by Tenison[9] at a still more recent date, and by not a few farseeing men in the last and earlier part of the present century. As men's thoughts came to dwell more on the subject of reformation, they gradually came to see that other changes were needed, and that the mediæval phase of religion was, in reality, wearing out. The habits of the primitive Church had undergone a great change when the empire became Christian; the Western Church had gradually acquired habits different from those so carefully conserved in the East; the English Church in times that required external aid against domestic tyranny had given itself up to foreign influences. All these various changes had been brought about by the necessities of the ages in which they occurred; and now a new phase of the ecclesiastical system was opening out slowly to men's view, as the old and long-loved system of former days was found to fit in less and less with the times of transition that were now coming upon them.

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[7] Knight's Life of Colet, pp. 252-264. See also Seebohm's Oxford Reformers of 1498, pp. 162-178.

[8] Latimer's Sermons, ii. 243, and many other places.

[9] Ellis' Orig. Letters, III. iv. 333.

New influences in the reign of Henry VIII.

It is difficult to read history while it is being made, and the most astute men of that period could not have seen as we can see how great a crisis had arrived in the course of our national life: but looking backward three centuries and a half, to the beginning of Henry VIII.'s reign, we may observe that the dawn of the sixteenth century was characterized by four great and prominent features. *First,* after several generations of civil disorganisation and strife, caused by the wars of York and Lancaster, the succession to the crown was settled in a manner which united all factions, and thus disposed of a question that had been the cause of an incessant political restlessness, as well as of fearful bloodshed and devastation. *Secondly,* a self-contained national independence was growing up around England, which caused her people, always insular in their feelings, to look with great disfavour upon anything like foreign interference with English affairs. *Thirdly,* the feudal system being at an end, a new influence, that of the middle classes, was making itself extensively felt through the extension of commerce,[1] and this was gradually attempering the absolute power of the monarchs and great nobles. *Fourthly*, the giant art of printing had sprung with wonderful rapidity into the full strength and vigour of adult life, and was originating a vast influence that could not fail to change the face of society in many important respects, and even to penetrate its constitution to the very heart.

How could they be utilized for good of the Church

During the throes of such a gigantic social crisis it was impossible for the Church to stand still. Its foundations, indeed, were immoveable, but its superstructure was open to the influences of the convulsion going on around it. What many wise men were already considering was, How should these influences be guided in their operation upon the Church, so that the result should be good and not evil? Perhaps also some, even then, may have considered that the Church was a spiritual engine placed under their care, for the spiritual guidance and control of the world in its onward course; and they may have seen that if that engine were not in some particulars adapted to the changing character of the materials on which it had to operate, its work could never be effectively performed.

The consideration of these points in detail will, however, be reserved for future chapters; and we must go back to take a further survey of the abuses which Colet and others noticed, and which in their eyes made vigorous reformation of the Church a pressing necessity. These we may conveniently class under three heads,—[1.] The *organic or constitutional abuses,* indicated by so many writers, as eating out the heart of the Church; [2.] the *doctrinal errors* which had grown up in mediæval times; and [3.] the superstitions with which religion had been burdened.

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[1] It is also observable that the rise of our vast colonial dominions is to be traced to the period under survey. An empire like that of England was never before formed without conquest; nor does it seem possible that so vast a congeries of nations could have been formed and maintained under any old-world system.

§ 1. CONSTITUTIONAL ABUSES WHICH NEEDED REFORMATION.

Non-residence

Perhaps the real foundation of most evils in the Church of England, for some time before and some time after the Reformation, is to be found in the *non-residence* of those who held cure of souls. This evil centred in the bishops, and ramified into a majority of the parishes of England: and its roots were so deeply planted in the substance of our ecclesiastical habits, that we are only just emerging from the mischief which it has caused.[2]

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[2] It is a great mistake to suppose that the bishops, clergy, and monks descended below the level of their age in respect to discipline and morals. It was probably very much the reverse in ancient times, as it undoubtedly has been in more recent days. In Mr. Foss's Lives of the Judges of England it is abundantly proved that the judicial bench was guilty of corruptions far greater than have ever been proved against the Episcopal bench. The great and learned judge, Ranulph de Glanville, charged Sir Gilbert de Plumpton with the illegal marriage of his wife, with theft and violence, and condemned him to death, for no other object than to marry the young widow to a rich friend. The knight only escaped the gallows at the last moment by a resolute act of the Bishop of Worcester. [Plumpton Correspondence, p. ix.*] This was at the end of the twelfth century. At the end of the thirteenth century Edward I. dismissed all the judges from their offices, and imprisoned them, because they had taken bribes, given false judgments, and even committed murder during his absence in France. Gifts, actual bribes, and false judgments were sadly common among the judges of the mediæval and Reformation periods, and even of less ancient days; and both bench and bar were guilty of criminal conduct that has happily

Bishops had been non-resident, partly from the fact that foreigners were often appointed to English sees as a reward for some service which they had rendered to the kings of England or to the popes of Rome : and their appointment seems always to have been made on the express understanding that their work was to get itself done as well or as ill as it could, by deputies. Englishmen were sometimes appointed with a similar understanding : occasionally men whose royal blood seems to have been thought ample excuse for a complete sinecure life ;[3] but more frequently men whose position at court, as statesmen, or as ambassadors, precluded them from carrying on their own proper work in their dioceses. In fact, chancellors and secretaries of state received their salaries in the shape of ecclesiastical benefices.[4]

Reasons for non-residence

This non-residence of bishops was the source of unlimited evils. They felt little or no interest in their dioceses, and appointed their subordinate clergy for private reasons of favouritism or relationship

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passed altogether beyond the bounds of probability in our own times.

Much is made by superficial writers of the satirical verses which were levelled at the mediæval bishops and clergy; but there are few so severe on them in their clerical office as those against the judges, in their judicial office, of which Mr Foss gives the following translation :—

"Judges there are whom gifts seduce and favourites control,
Content to serve the devil alone, or take him for a toll;
If nature's law forbids the judge from selling his decree,
How dread to those who finger bribes the punishment shall be !

"If comes some noble lady in beauty and in pride,
With golden horns upon her head, her suit he'll soon decide;
But she who has no charms or friends, and is for gifts too poor,
Her business all neglected, she's, weeping, shown the door."

[3] The Duke of York, son of George III., was thus made Bishop of Osnaburg, an absurd appointment, which shows that the evil spoken of was not confined to mediæval times.

[4] Wolsey's many preferments were heaped upon him to enable him to bear the enormous expenses which were incurred by him in carrying out the duties of his office as prime minister. When he went to France as mediator between the King of France and the Emperor of Germany, he expended £10,000 (equal to £120,000 of modern money), and was soon afterwards made Abbot of St. Alban's by the king by way of royal repayment. [Ellis' Orig. Lett., III. i. 274.]

rather than for any other consideration. What Episcopal work was done in their dioceses was the work of suffragan bishops, who, instead of being assistants, were made substitutes for their principals, so far as the spiritual work of the Episcopal office was concerned; and who, it may be added, were often Scotch and Irish bishops, themselves neglecting their own duties for the purpose of residing in England. The clergy were deprived of proper oversight and guidance, and an example of non-residence was set to them also, which was very extensively followed.

Pluralities, A.D. 1367

We have seen how Ullerston, Abendon, and Colet, speak of pluralities, and of the non-residence to which they led. So grossly had this practice extended, that when Archbishop Langham made inquiry respecting the pluralist clergy of the province of Canterbury, some were found who held as many as twenty benefices and dignities, by means of papal provisions, with license to hold as many more as they could get.[5] These appear to have been mostly Italians, and Edward III. issued a commission of inquiry respecting them about seven years afterwards, though with what result we are not informed.[6] It was so convenient for the popes to have this means of paying and rewarding their officials, and also to receive the percentage which was required from each benefice, that the papal court always withstood reforms in this direction, even when pious popes desired them![7] On the other hand, the English clergy in general were so sensible of the evil, that when the convocations chose delegates to attend the Council of Basle A.D. 1430 (from which so much reformation was expected), they instructed them, in the name of the Church of England, to demand that dispensatories for pluralities should be withheld, and also those for non-residence; and that in no case should several parishes be united under one clergyman. But the evil was not abated then, nor for many years afterwards. A century later there was a definite attempt at legislation on the subject, but it fell to the ground. The

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[5] Collier's Eccl. Hist., iii. 128, ed. 1852.

[6] Ibid., 132. Collier prints the following from Foxe, as a copy of this commission:—"Edward, by the grace of God, King, &c., to the honourable Father in Christ, N, by the same grace, Bishop of L, greeting, being willing, for certain reasons, to be informed what, and how many benefices, as well archdeaconries as other dignities, as vicarages, parsonages, prebends, and chapels within your diocese, are at this present in the possession of Italians, and other foreigners, by what names every of the said benefices are called, and how much each of them is worth by the year, not as they stand charged in subsidies, but according to the rack-rent, and true valuations of the same; and likewise, being desirous to be certified of the names of all and singular such foreigners being now incumbents or occupying the same; and, moreover, the names of all of them, whether Englishmen or foreigners, of what state or condition soever, which have the occupation, or disposition of any such benefices, with the issues and

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profits of the same, in the behalf or by the authority of any of the aforesaid foreigners, by way of form, or title, or by any other ways or means whatsoever, and how long they have occupied, or disposed of the same, and withal, if any of the said foreigners are now resident upon any benefices; we command you to send us a true certificate of all and singular the premises into our high Court of Chancery, under your Episcopal seal, before the feast of the Ascension of our Lord next ensuing, without further delay, returning likewise this our writ unto us. Witness myself at Westminster, the sixteenth day of April, in the forty-eighth year of our reign of England; and of France the thirty-fifth."

[7] Bishop Gibson [Codex, p. 946] quotes the following remarkable catalogue of pluralists from Archbishop Winchelsea's register at the end of the thirteenth century. The names are those of clergymen whose wills had been proved in the time of Archbishop Peckham, his predecessor:—

	Benefices.	In Dioceses.
Hugo de Clare	13	9
Mr. Galfridus Haspai ..	15	8
Mr. Radulphus de Frenigham	9	2
Mr. Henr. Sampson ..	6	2
Adam de Stratton ..	23	6
Malcolmus de Harle ..	5	4
Mr. Thomas de Sudingtone	4	2
Mr. Galfridus de Newland	4	2
Mr. Adam de Walton ..	6	2
Adam de Blechyngleye ..	5	4
Adam Pain	13	8
Will. de Brunton, ...	10	6
Hugo de la Penne .. .	6	4
Petrus de Wyntes ..	8	5
Will. de Parry	5	3
Rog. de la Ley	5	2
Mr. Johan de Sicca Villa ..	5	5
Henricus de la Souche ..	5	3
Ingerandus de Broke ..	4	2
Radulphus de Bonn ..	5	3
Dom. Rogerus Baret ..	6	5
Steph. de Brokeland ..	5	4
Will. de Monteforti ..	7	5

These twenty-three clergymen thus held on the average eight benefices each.

record of this is contained among the state papers, in the shape of some instructions given by the king to Cromwell, to be declared to the council, and put in immediate execution. Among these there is a sketch of a bill for regulating the absenteeism of the clergy, dated in St. Michael's term 1531. It was to have enacted that every spiritual person having preferment, and residing without the king's special license "in the court of Rome, or elsewhere out of the realm, shall have his revenue divided into three parts; one for himself, one for repairs of manors, buildings, &c., and one to be distributed in charity."[8] No further notice of the project occurs, and it seems to have been superseded by the Pluralities Act [21 Hen. VIII., cap. 13], which did not really touch the evil. Men's minds, at a later date, were diverted from this and other important reforms, by the hair-splitting controversies raised by Puritans and other Protestants, and the extravagances of non-residence and pluralities continued down to our own times; but had they been properly reformed at the period of the Reformation, far more real and solid work would have been done among the souls of the people of England, and infinite scandals prevented among the clergy.

A.D. 1531

Appropriations

Another constitutional disease of the Church in the pre-Reformation ages was that of *Appropriations*,[9] a disease akin to, though not so deadening as, the Impropriations of post-Reformation ages.

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[8] State Papers, vol. i. [1830], p. 383.

[9] *Impropriations* are the alienation of tithes to laymen. *Appropriations* are the assignment of them to clerical corporations (for so colleges and monasteries used to be considered), which thus become responsible for the performance of the duties for which the tithes are paid.

In its earliest form, the appropriation of parishes with their tithes and spiritual charge was scarcely more than a transfer of patronage to monasteries, the whole ecclesiastical income of each parish being still used for the spiritual purposes of the parish. But after the conquest parishes were appropriated to monasteries in a more absolute manner, the income of the parish being transferred to the monastery, and the latter being responsible for the duties of it very much at their discretion. Within three hundred years, about one-third of the benefices in England were thus appropriated, and these generally the best endowed.[1] However desirous the members of these monasteries might have been, individually, to act up to their responsibilities towards their dependent parishes, all experience illustrates the phenomenon that corporations never work up to the standard of their individual members: but that, on the contrary, the weakest link in the chain is the true exponent of their moral strength. Hence there were no districts which were more sunk in wickedness arising from neglect, in times within memory than those of which the Colleges of Oxford and Cambridge had spiritual charge, especially in the immediate neighbourhood of those Universities.[2] As we are no better, so we are probably no worse, than our ancestors; and the appropriated parishes of pre-Reformation times were, no doubt, sadly neglected: so that wickedness and schism found an easy prey in them, as they have done in recent generations. As Colet states it, "all things were done by vicars and

Corporations and the cure of souls

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[1] Kennett's Case of Impropriations, p. 23.

[2] It was a *common* thing in the last generation for Fellows of Colleges to perform a hasty and perfunctory service at three and four churches, if within easy riding distance, on the Sunday.

parish priests,"[3] that is by deputy; and there is a good deal of evidence to show that, in the early part of the sixteenth century, at least, the deputy was often a man who was neither respected nor respectable, but of the class who cried, "Put me, I pray thee, into one of the priest's offices that I may eat a piece of bread." An idea of the state to which parishes had been brought by this abuse of the system of appropriations may be gained from a letter of Archbishop Warham to Wolsey respecting the clergy of Kent. "A more poor sort of so great a number in the clergy a man cannot lightly see, and, as I can perceive, the cause is, forasmuch as all the chief benefices be appropriated to religious houses; and to the exhibition of the vicars is so small a portion assigned that they can scantly live withal. And if there be any good vicarage, divers of the said religious houses obtaineth dispensations of the See Apostolic to keep them in their own hands, and be served by religious men, and so they have almost all good parsonages and vicarages in their hands."[4]

Poverty of Kentish clergy

Such a state of things involved, no doubt, a low moral and intellectual condition in the parochial clergy, and from the general insufficiency of episcopal oversight, there must have been great want of discipline among them. Not that the whole of them were likely to have been sunk in ignorance and vice. There were many like the Fen correspondent of Erasmus, John Watson, who were indeed fond of the Scotus, whom Erasmus so reviles, but who yet devoted themselves to the earnest study of theology, and would rather

Good clergy

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[3] "Parish priests" was the old term for "curates in sole charge;" "parson" or "rector" being the recognised term for the clergyman primarily in cure of souls.

[4] Ellis' Orig. Letters, III. ii. 30.

be good Christians than anything else in the world.[5] But there was abundant foundation for complaints as to the condition of the clergy, and these complaints (however unreasonable they may sometimes have been) were the natural outcome of abuses which indicated the deterioration and degeneracy of the mediæval church system. They led to the alienation of a large portion of the laity from clergy, church, and religion: and when the great transition-tide set in, and society became reconstructed from its foundations, the hold of the Church upon the world had been so weakened that it was never wholly recovered. It was the sight of these results, as they grew, and the foresight of that to which they would eventually grow, which led wise and good men to call for the reformation of the abuses which caused them.[6]

and evil clergy

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[5] Brewer's Calend. St. Pap., ii. 3420.

[6] The state of the Church in Scotland and Ireland seems to have been almost as bad as could be at the period immediately preceding the Reformation. Sir James English wrote from Perth respecting the Church of Scotland in the year 1515—"Every man spekis quhat he will without blame. Yer is na sclander punyst; ye man hath ma words na ye mastir, and will not be content except he ken his masteris cunsell. Yer is na order amang us, none of Goddis preceptis ar kepit except ye first, and that full ill. . . . Every man taks up abbacyis that may . . est; thay tarry not quhilk benefices be vacand, thai tak them or thai fall, for thai tyne the vertew of thai twiche ground." [Brewer's Calend. St. Pap., ii. 50.]

As regards the Church of Ireland, there is evidence in the shape of a memorial, which was drawn up for the King's information, respecting the state of the country at large and the means to be used for its improvement. "Some saith," says the writer, "that the prelates of the Church and clergy is much cause of all the misorder of the land; for there is no archbishop, nor bishop, nor abbot, nor pryor, parson, nor vicar, nor any other person of the Church, high or low, great or small, English or Irish, that useth to preach the Word of God, saving the poor friars beggars. . . . Also the Church of this land use not to learn any other science, but the law of Canon, for covetousness of lucre transitory: all other science, whereof grow none such lucre, the parsons of the Church doth despise. They could more by the plough rustical, than by lucre of the plough celestial to which they have stretched their hand, and look always backward. They tend much more to lucre of that plough whereof groweth

§ 2. Doctrinal Abuses which needed Reformation.

There appears to have been a singular absence of original thought in the century or more which preceded the rise of the Reformation. The minds of men had petrified in certain forms of theological language, which had been developed partly by "circumstances," and partly by vigorous thinkers of a preceding age. No one seemed desirous of tracing out the truth of such language, or even competent to trace it out; and if extravagant theories or practices were built up on the foundation of recognised authorities, no one thought of contradicting them, however extravagant they might be, so long as they could be proved to stand on that foundation. It was such a slavish deference to one particular and narrow class of thinkers among the past which led to the extravagant notions respecting purgatory and the sacrament of the Holy Eucharist, as were current in the fifteenth and sixteenth centuries.

Purgatory

Purgatory had, in effect, if not in direct language, superseded hell in the theology of that age, and the whole ecclesiastical system was impregnated with the error. The notion had grown up that the intermediate state of souls, which die in a state of grace, is one of torment in material fire; and that by this fire, they are eventually, after perhaps many

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slander and rebuke, than to lucre of the souls, that is the plough of Christ." [State Papers, ii. p. 15.]

Nor does the evidence rest on the assertion of a layman only, for Archbishop Inge of Dublin, and the Lord Chief-Justice Bermingham, both write to Wolsey about the lack of good prelates and curates in Ireland, and ask that men of good morals may be made bishops, and such as will reside. They complain that the richest diocese in Ireland, that of Meath, is in ruins through the absenteeism of its bishop, Richard Wilson, and suggest the appointment of another in his stead. [State Papers, ii. p. 126.]

thousands of years, to be purified into a condition fit for heaven. Thus, purgatory came to be considered as a hell of limited duration; and the extent of the limitation was supposed to be influenced by the intercessory office of the church militant, exercised in prayers and masses. In actual, practical thought, every person who died was supposed to go to purgatory; and probably there is not a case on record in which masses for the souls of any deceased person were refused (if payment for them was offered), on the ground that they had been too wicked for the hope of heaven, and therefore too wicked for the place of penal purgation, which had been constituted heaven's antechamber.

Sir T. More's belief in Purgatory

This idea of a penal purgatory of material fire is clearly set forth by Sir Thomas More in his famous "Supplication of Souls;" and it is remarkable to find that it had so firm a hold on a layman whose intellect was of the highest order:—

> "If ye pity the poor," he makes the souls in purgatory to say, "there is none so poor as we, that have not a bratte to put upon our backs. If ye pity the blind, there is none so blind as we, which are here in the dark, saving for sights unpleasant and loathsome, till some comfort come. If ye pity the lame, there is none so lame as we, that can neither creep one foot out of the fire, nor have one hand at liberty to defend our face from the flame. Finally, if ye pity any man in pain, never knew ye pain comparable to ours; whose fire as far passeth in heat all the fires that ever burned on earth, as the hottest of all that passed a feigned fire painted on a wall. If ever ye lay sick, or thought the night long, and longed for day, while every hour seemed longer than five, bethink you then what a long night we sely souls endure, that lie slepeless, restless, burning and broiling in the dark fire one long night of many days, of many weeks, of many years together.

> You walter, peradventure, and tolter in sickness from side to side, and find little rest in any part of the bed; we lie bound to the brands, and cannot lift up our heads. You have your physicians with you, that sometimes cure and heal you; no physic will help our pain, nor no plaisters coole our heat. Your keepers do you great ease, and put you in good comfort; our keepers are such as God keep you from—cruel, doomed spirites, odious, envious, and hateful, despiteous enemies and despiteful tormentors, and their company more terrible and grievous to us than is the pain itself, and the intolerable torment that they do us, wherewith from top to toe they cease not continually to tear us."[7]

Chantries

By such piteous pleas as this, the charity of the living for the dead was excited, and men and women of all degrees paid money to the clergy for "praying the souls" of their deceased relatives or friends out of purgatory, as regularly as they paid the sexton for the burial of their bodies. The intercession thus bought was offered by means of the Holy Eucharist or mass, which had of course, from the most primitive times, been considered to benefit, though in some unknown way, the dead as well as the living. The Holy Eucharist thus came to be celebrated as a sacrifice for the benefit of the souls in purgatory more frequently than as the thank-giving sacrifice and communion of the church militant. An order of clergy arose, whose sole work was that of offering it up with this object, and "chantries" were added to churches, or enclosed by screens within them, for the erection of altars, at which these "chantry priests" might officiate.

There was much amiable charity in this general provision for the souls of the departed, and so far the theologian and the historian will be indisposed to speak of the mistake in any harsh terms. But a great evil, an evil which in time must have brought all practical religion to ruin, was the result of this mistake. The salvation of souls came to be considered as a matter connected with the intermediate state alone, rather than with this life. Men provided that they might be prayed for after they were dead, and thought it unnecessary to avoid sin while they were living. Every one believed that purgatory was their destination, whatever their lives and deaths might be, a destination which involved a painful and horrible sojourn, but a sojourn that might be shortened and lightened by means of money expended on prayers and masses.[8] And thus the growth of chantries symbolized the decay of vital godliness. They clustered around the high altar and overshadowed it; they crept along the aisles of churches and elbowed out the congregations. The Holy Sacrament was put up to sale, contrary to the very first principles of the Church, and those who could bid highest, and buy the greatest number of celebrations, had the best hopes of getting from purgatory to heaven. Such, whatever mitigatory explanations might be offered by the learned, was the real practical force on the popular mind of the mediæval doctrine respecting purgatory; a force from which only very devout souls could escape unharmed.

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[7] More's Works, p. 337, ed. 1557.

Private masses bought and sold

In speaking of the association between the mediæval doctrine of the Holy Eucharist and the Reformation, the object of this chapter will be best answered by considering the practical position which that sacrament held in the religious system which was succeeded by that of the later Church of England.

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[8] The reader will observe that there is much in common between this mediæval doctrine and the ideas respecting the non-eternity of hell, entertained by many of the present age.

Commu-
nion in
one kind

It is well known that when the laity received the Holy Communion in the age immediately preceding the Reformation, they received it only in "one kind;" that is, they received only the consecrated bread. It was, indeed, the custom to give them some wine in a chalice after they had received the consecrated Bread, but this wine was not consecrated, and a special notice was given to the communicants warning them of the fact.[9] It is not so generally known, however, that this "withdrawal of the cup" from the laity was a recent custom, and one which met with great resistance in the Church of England.

Its recent
introduc-
tion in
England

The custom of communion in one kind was adopted by the early Church, in cases where the Holy Eucharist was reserved, though perhaps in some cases even then both elements were reserved and administered. But a century before the Reformation period the Council of Constance [A.D. 1415] gave the force of ecclesiastical law to a novel custom which had sprung up, in some countries, of withholding the consecrated wine altogether from the laity. This was done on the pleas that (1) one element was sufficient for the perfect reception of the Eucharistic gift, and that (2) greater reverence was maintained by the non-administration of the fluid element.

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[9] "Good men and women y charge yow by the auctoryte of holy churche, that no man nother woman that this day proposyth here to be comenyd (communicated) that he go note to Godds bord, lase than he byleue stedfastlych, that the sacrament that he ys avysyd here to reseue, that yt ys Godds body flesche and blode, yn the forme of bred; and that (which) he receyvythe afterward, ys no thyng ells but wyne and water, for to clense yowr mowthys of the holy sacrament." Annotated Book of Common Prayer, p. 178. So also in John Myrk's "Instructions for Parish Priests," edited for the Early English Text Society by Mr. Peacock.

"Teche hem thenne, neuer the later,
That in the chalys ys but wyn & water
That they receyueth for to drynke
After that holy hoselynge."—P. 8.

Only three centuries previously the partial introduction of this practice had been distinctly condemned by the Council of Clermont, presided over by Pope Urban II., in 1095. When it began to creep into England (in its earliest form, that of steeping one element in the other), it was forbidden by the Convocation of Canterbury [A.D. 1175]. So late as 1281, the custom had made way only in the smaller churches;[1] even later, a synodal decree at Exeter orders the clergy to instruct the laity that they receive Christ's blood as well as His body;[2] and as late as 1515, communion in both kinds was the custom in some parishes (at least) in the diocese of Durham.[3] The *unconsecrated* wine was, in fact, given to the laity to conciliate them; and the notification already referred to respecting it, shows that the belief was still widely spread among them that it was a legitimate part of the Holy Communion. As most readers will remember, the people of Bohemia utterly refused to adopt the novel custom; and the above evidence seems to show that it was far from being easily or universally established in England. Perhaps, it might have been even more generally resisted, and finally repudiated, at an earlier date than 1548, if there had not unhappily been so few communicants in the Church of England at that time.

Resisted by English Bishops

But the general tendency of the mediæval theology respecting the Holy Eucharist was to diminish the number of communicants. It regarded the sacrificial aspect of the Blessed Sacrament with so intense a gaze as to be in some degree blinded to its communion aspect. It grasped with a tenacious hold the primitive and patristic theory that it is an offering for the living and the dead, but it loosened its hold upon the equally primitive and patristic theory that it is the spiritual food of the Christian soul. The consequence was, that few of the laity ever communicated except at Easter, when the law of the Church positively required them to do so.[4] At other times, when the Holy Sacrament was celebrated, the laity who were present stood or knelt to hear and to see, but did not go up to the altar to partake. This custom was so general that it made way even in religious communities, and even devout parish priests and spiritual directors taught their flocks that they as effectually received the benefit of the Holy Sacrament by so doing, as if they actually received it into their hands and mouths.[5]

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[1] See a constitution of Archbishop Peckham in Wilkins' Concilia, ii. 52.

[2] Wilkins' Concilia, ii. 131.

[3] Jarrow, Monkwearmouth, and Norham. See Notes and Queries, II. i. 59. The North of England used to be tenacious of old customs.

Want of balance in mediæval theology about the Eucharist

Both the extravagances of doctrine and practice

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[4] "Teche thy paresch thus & say,
Alle that ben of warde & elde
That cunnen hem self kepe & welde,
Theyschulenalletochyrchecome,
And ben I-schryue alle & some,
And be I-hoseled wyth-owte bere
On aster day alle I-fere:
In that day by costome
Ye schule be hoselet alle & some."

—Myrk's Instructions for Parish Priests, p. 8. Peacock's Ed.

[5] The following is from that excellent and devout book, "The Mirror of Our Lady," a "Rationale of Divine Service" written for the nuns of Sion in the year 1530:—

"And for asmoche as they yt ar presente & here masse may receyue our lorde spūally at euery masse, lyke as the preste receyueth hym in ye sacramente, therefore in tyme of *Agnus dei*, & whyle the preste vsyth, ye oughte to dyspose you ful dylygently & deuoutly, and wt grete feruoure and gostly desyre, to stretche oute your loue and desyre deuoutly to oure lorde, that ye lese not so grete a gostly fruyte & be not pryued of ye swetnes of that heuenly feaste wt whyche ye may be fed at eche masse that ye here, if ye wyl desyrously set your harte therto."

Restoration of full communion on death of Henry VIII.

here indicated began to give way before the revival of theological learning and original thought. As soon as ever the death of Henry VIII. had set the clergy free for action, the ancient system of the Church was resuscitated: liturgical provision was made for administering both elements to the laity, and they were exhorted to become frequent communicants. What the Church did was also endorsed by an Act of Parliament, but with such tender regard for others that it declared "this restoring the ancient practice, with reference to the Holy Sacrament, must not be interpreted to the condemning the usage of any Church out of His Majesty's dominions." Scarcely a remonstrance was heard against the reintroduction of the ancient custom; and this general acquiescence is a sign that the restoration fell in with the current of popular feeling.

§ 3. Superstitious Customs which needed Reformation.

Imaginative devotion never acclimatized in England

There were many customs received upon trust and tradition by mediæval Englishmen which began at once to be called in question when the increasing intelligence of the Reformation age set Englishmen thinking. Among such customs were indulgences, image-worship, pilgrimages, the multiplication of holy-days, the invocation of saints in general, and Mariolatry in particular. These customs had been imported from Southern Europe, and formed part of an imaginative religion which never took kindly to our northern climate. But the influences of Southern Europe on England had been very deeply rooted by the Normans; and a foreign accent had very largely changed the tone of the old native religion as well as of the old vernacular speech.

Indulgences

Indulgences had been originally, in the Primitive Church, simple relaxations of penance to those who showed extreme sorrow for sin. At the time of the Crusades [A.D. 1118] they began to be granted by popes in the form of a general absolution, which would clear the possessor from the consequences of all his sins in case of death. "Since ye have determined," they ran, "to expose both yourselves and the things belonging to you to the most extreme perils, if any of you, having accepted the penance for your sins, shall die in the expedition, we, by the merits of the saints and by the prayers of the whole Catholic Church, absolve him from the chain of his sins."[6] In later centuries such indulgences became a regular article of traffic. They were procured at wholesale prices from popes and other bishops, and were sold retail at so much percentage profit by a kind of ecclesiastical hawkers, called "Quaestionarii" in dignified Latin, and "Pardoners" in rough-and-ready English. No mediæval writer has a good word to say for this class of men. Even synods reviled them as ignorant, dishonest, immoral hypocrites;[7] and what satirical poets could venture to say about them could hardly be said in more severe language. The true mediæval character of the men and their wares is given in the Vision of Piers Ploughman :—

The selling and buying of absolution

> "Then preched a pardoner, as he a prest were,
> Brought forth a bulle, with many bishopes' seles,
> And seide that himself might assolven them all
> Of falshod, of fastynge, of a-vowes y-broken."

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[6] Baronius, A.D. 1118, xviii.; A.D. 1127, v. [7] Wilkins' Concilia, ii. 154

CHAP I

This traffic was reorganized in the time of Leo X. for the purpose of getting money towards the building of St. Peter's; but the shamelessness of Tetzel and others aroused the utmost indignation, not only on the part of Luther, but on that of all thoughtful and honourable men. Such indignation had, in fact, produced some measure of reformation in England already as regarded indulgences, and the sale of them dwindled away even before they were finally condemned and swept away as foolish things, vainly invented, and contrary to the Word of God.[8]

Images

Image-worship was a widespread popular folly, from which it may be hoped that educated persons were always free. The latter, doubtless, worshipped Christ while they knelt before the crucifix, but the other, it is much to be feared, worshipped the crucifix itself; the one paid its reverential devotion in a greater or lesser degree to the Blessed Virgin and to the saints who were represented by images and pictures; the other paid the same devotion to the images and pictures. So also as regards relics, fragments of saints' bodies, or articles of attire, &c., which had belonged to them. The shrine of St. Thomas at Canterbury, that of St. Cuthbert at Durham, the images of Our Lady at Walsingham and elsewhere, might be associated, and were associated, with an imaginative form of devotion in the minds of educated persons that did them no harm, and perhaps supplied a want that needed to be supplied. But among the ignorant classes they superseded and thrust aside the worship of our Lord: the real Saviour became to them little more than a name—the saint was looked upon by them as their saviour.

Relics

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[8] Bishop Gardiner called the sale of indulgences "the devil's craft."

In the case of images, so deeply seated was the popular idea of reality which was associated with them, that they were actually believed to move their eyes and mouths by some miraculous vital power, when the movements were, of course, contrived by mechanism. None but godless or infatuated men could have wished to perpetuate such habits as these among the people of England. All who were desirous for the revival of true religion must have striven earnestly for their suppression.

Mariolatry

Foolish legends

The catalogue of superstitious customs might be easily extended. It might be shown—as, for example, from the "Mirror of our Lady" already quoted—that the exaggerated veneration of the most blessed and holy Mother of our Lord had been developed into habits and language which could not clearly be distinguished from Divine worship of her;[9] that the invocation of saints had extended to so extravagant a length as to invade the intercession of Christ; that saints had been recognised by the Church as the workers of miracles, which they themselves would have been the first to repudiate; that many most ridiculous legends about saints were authoritatively circulated; that many old religious customs—such as pilgrimages—had degenerated into silly and vicious habits; and that practical religion was very generally overlaid with imaginative. But enough has been said to show that there was that in the religious system of pre-Reformation times which really called for a change, which could not stand the test of intelligent inquiry, and which proved one great and just provocative of the Reformation.

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[9] Sir Thomas More, writing to a monk, gives an account of a visit which he had recently paid to his sister at Coventry. A Franciscan friar had been preaching there to the effect that whoever repeated daily the Psalter of the Virgin would escape eternal damnation. The parish priest warned his people against this doctrine, but was abused as an impious enemy of the Blessed Virgin; and More found the city in a great state of excitement on the subject. [Jortin's Erasmus, iii. 365.]

National responsibility for growth of these abuses

And thus, to sum up, we may trace the origin of the Reformation to other causes as well as to the more-than-half political breach between England and Rome. Our insular feelings tempt us, perhaps, to throw too much of the responsibility of the evils of the mediaeval Church of England upon our foreign connections, and to take too little to our own share as a Church and a nation. But a survey of the religious condition into which England had fallen at the end of the mediaeval period shows that there was much of what may be called *native* degeneration, and that we cannot justly burden the back of Rome with all our ecclesiastical sins. Much evil, no doubt, had fallen around our uncatholic and unpatriotic submission to the Roman yoke, but the prime cause of that evil was our national folly in submitting to it at all. It is to be feared, however, that the constitutional, doctrinal, and ritual mistakes which have been indicated, owed their growth, and sometimes their origin, to causes which were perfectly within the control of the Church of England, the kings of England, and the people of England, if they had chosen to control them. That attempts had been made to check the growth of some of these errors will be shown in subsequent chapters of this work; but it cannot unfortunately be shown that these attempts extended much beyond the political part of the question, so far as the ruling powers and the national will were concerned. Men here and there, good and farseeing

National unwillingness to be reformed

men, called out for a reformation of the Church of England, but the people at large were content to settle down on their lees, and did not support the call. When reformation came, it carried the sovereign and the people with it, rather against their will than otherwise ; and there has been always too great a disposition, from that time to this, to throw on others the blame of those sins and errors which made it necessary, instead of crying out honestly, "We have sinned, both we and our fathers." Protestantism has, in fact, been the great hindrance to reformation from the sixteenth century downwards, just as Romanism was the great hindrance to reformation in preceding centuries. It has dealt ostentatiously with mere surface evils, but left untouched those which were more deeply-rooted ; it has diverted men's minds from essential principles, and fixed them upon comparative trifles ; and it has tended as much as Romanism itself to the substitution of foreign for native elements in the Church of England.

CHAPTER II

WOLSEY'S INITIATION OF THE REFORMATION

[A.D. 1514—1529]

Wolsey much misrepresented

THE first effective impulse was given to the Reformation as an orderly ecclesiastical work by the great Cardinal Wolsey, whose services to the Church of England have been almost ignored by the ordinary historians, and whose acts were grossly misrepresented by most writers who had to deal with the events of his age, until the publication of the State Papers revealed their true character. We now know that it was Wolsey who broke up the mediaeval system and laid the broad foundations on which later statesmanship built up our national independence and greatness. And we know also that nearly every class of measures undertaken for the purpose of establishing the independence and re-settlement of the Church of England were initiated by this great statesman. When he fell, England received so great a shock in her domestic and foreign relations, that she did not recover from it until the time of Queen Elizabeth: and it may be reasonably thought that if the Reformation had been fully developed under his continued guidance, many of the miserable divisions which ensued would have been avoided by his astute statesmanship, and the barbarities of each side checked by his humane policy.

It is not necessary, for the purposes of this work, to give many particulars respecting the personal history of this unrivalled statesman. When it has been said that he was born at Ipswich, in March 1471, that he was the son of a poor gentleman,[1] that he became a Fellow of Magdalen College, Oxford, Master of Magdalen School, and Bursar of his College, nothing further need be told respecting his life previous to the year 1509.

Wolsey's rise to power

When Henry VIII. came to the throne, he found Wolsey (who had already gained the good opinion of Henry VII. as a promising public man) Dean of Lincoln, he being then about forty years of age, and the King only eighteen. Six months afterwards Wolsey is heard of as Almoner, and his preferments henceforth all came from the Crown until they culminated in the Archbishopric of York [1514], and the Chancellorship, to the latter of which offices he was appointed on December 22, 1515. He had been made Cardinal by the Pope about three months before the latter date; and long before that honour was conferred on him, he had risen from a confidential position, which was practically that of a Secretary of State, to the still higher position which is known in modern times as that of Prime Minister. The latter was his position from about the year 1513 to the year 1529.

A shrewd observer who was ambassador from the republic of Venice while Wolsey was at the height of his power, has left us a description of him which enables us to form a good idea as to what kind of man he appeared to a foreigner well acquainted with the English court, and with the affairs of England:—

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[1] The tradition that he was the son of a butcher originated in a saying of Charles V., when told of the Duke of Buckingham's execution, that the best "Buck" in England had been slain by a "butcher's dog." But the Emperor evidently meant that Henry VIII. was a butcher, and Wolsey his obsequious servant. It was a *mot* likely to spread.

Venetian ambassador's opinion of him

"He is about forty-six years old, very handsome, learned, extremely eloquent, of vast ability, and indefatigable. He alone transacts the same business as that which occupies all the magistrates, offices and councils of Venice, both civil and criminal; and all state affairs likewise are managed by him, let their nature be what it may. He is pensive, and has the reputation of being extremely just. He favours the people exceedingly, and especially the poor, hearing their suits and seeking to despatch them instantly. He also makes the lawyers plead gratis for all paupers. He is in very great repute, seven times more so than if he were Pope. He is the person who rules both the King and the entire kingdom. On the ambassador's first arrival in England, he used to say, 'His Majesty will do so and so;' subsequently by degrees he went on forgetting himself, and commenced saying, 'We shall do so and so.' At this present he has reached such a pitch that he says 'I shall do so and so.'"[2]

This was written some years after Henry VIII. had become king, but it doubless applies equally to the earlier part of his reign, for Cavendish, Wolsey's own confidential attendant during all the time of his

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[2] Giustiniani's Despatches, ii. 314. Wolsey's policy, courage, and integrity, eventually won for him the respect and confidence of European sovereigns to an extent which has only found a parallel in the case of the Duke of Wellington. The Popes, Charles V., Francis I., the Doge of Venice, and Margaret of Savoy, followed his advice whenever he chose to give it. Charles V. even wrote letters at his dictation, and re-wrote them when not copied closely enough from Wolsey's minutes. [Brewer's Calend. St. Pap., iii. 1788, 1808. See also 1737, 1798, 1829, 1906, 2999, &c., &c.] That proud princess, Margaret of Savoy, actually wished Wolsey to call her mother because of the love she bore him, hoping, as she quaintly adds, that she shall one day be mother of her father, "that is, of our holy father." [Ibid, 1804.]

Business of Government thrown into his hands

high station and power, says that he rose to favour with the young king, and consequently to great eminence, almost immediately after the accession of the latter. "Such was his policy and wit, and so he brought all things to pass that who was now in high favour but Mr. Almoner? and who ruled all under the King but Mr. Almoner? . . . no man was of that estimation of the King as he was for his wisdom and other witty qualities."[3] Thus when there was a great disinclination for public business on the part of all the great men of the time, it is not surprising that the principal weight of it should soon fall on the shoulders of one who was beginning to display a special competency for bearing the burden, and a ready willingness to accept the responsibility. Fox, Bishop of Winchester, and Warham, Archbishop of Canterbury, were both of them glad to get rid of these burdens and responsibilities, and soon threw them nearly all, not by compulsion (as has been sometimes said) but of their own free choice, into Wolsey's hands. There had seldom been a greater position for an ambitious subject to occupy, and seldom so great a man to occupy it.

Convenient to the king to trust him

The influence which Wolsey had with the king, was, however, far from being so paramount as has been commonly represented. In his early life, Henry naturally disliked to burden himself with the details of government, and among all his servants he found none whom he could so thoroughly trust for relieving him from them and carrying on the work of government successfully as Wolsey. At a later period, the king's personal feelings and interests were so much involved in the public business of the

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[3] Cavendish, in Wordsworth's Eccl. Biog., i. 335.

First signs of opposition on the part of the king

country that he was as eager to take part in the labours of state management as he had previously been anxious to avoid them. Wolsey had been in full power for ten years before the king was thirty years of age, and it was not until then that the latter began to take any special interest in public affairs: but from that time, and during the remaining eight years of Wolsey's government, Henry was gradually becoming more and more competent to take a full share in the practical oversight of the state; and as his abilities thus developed, so he became less willing to occupy the position of a pageant-king. Wolsey's influence with him in the preceding period had been that which naturally belonged to his position as the great working viceroy of the kingdom,[4] and Henry seems to have had a feeling of private friendship towards him as well as of official dependency. But at thirty, the king's character began to undergo that great moral deterioration which makes so striking a contrast between his promising youth and his maturer years. As the force of his character strengthened, the baser elements of it developed themselves, and thus his strong will became associated with an intense and most selfish jealousy for his personal interests. From this time we find evidence that his reliance upon Wolsey was much less confiding than formerly: while Wolsey himself often shows signs of doubt as to the king's support and co-operation. There are instances on record of Henry's vigorous opposition to the plans of his prime minister: and the state papers show that the king often required Wolsey to state and re-state the grounds on which he had advised any particular course, not unfrequently refusing to agree to it after all.[5] Cavendish also relates several anecdotes which show how violent and obstinate the king had become towards Wolsey while the divorce business was being carried on: and the Cardinal himself declared on his deathbed, "He is a prince of royal courage, and hath a princely heart, and rather than he will miss or want any part of his will or pleasure, he will endanger the loss of the one-half of his realm. For I assure you, I have often kneeled before him, the space sometimes of three hours, to persuade him from his will and appetite; but I could never dissuade him therefrom."[6] In still later days, Henry was known to have boxed the ears of Lord Cromwell; and the passionate wilfulness which had then developed into such an extreme form was at work, long before, in the days of Wolsey's government.

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[4] The Cardinal's actual position may be best understood by imagining that of a modern prime minister acting constitutionally for the Sovereign, but almost entirely free from the control of Parliament.

[illegible] Henry VIII.

These particulars are mentioned here to show that Wolsey was far from having everything his own way; and that, at least during his latter years, he was much thwarted by the king. It thus becomes extremely probable that he was obliged to modify his course in several important matters from a conviction that it would be impossible to gain the king's

Wolsey's plans thus thwarted

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[5] It is worth notice that, even as early as 1518, the King overruled Wolsey's wishes about the appointment to a bishopric. Wolsey wished Bolton, the Prior of St. Bartholomew's, to be nominated Bishop of St. Asaph, but the King refused his consent, and appointed instead Standish, Provincial of the Friars Observants, the great foe of Erasmus, and afterwards the great supporter of Queen Catharine.

[6] Cavendish, in Wordsworth's Eccl. Biog., i. 543. The dying Cardinal's words will be stripped of all appearance of exaggeration by the recollection that *kneeling* was the attitude in which ministers had official audience of the sovereign up to a much later period.

acquiescence to his plans; and in some other cases to take a line different from that pointed out by his own judgment, for the sake of reconciling the king to his continuance in office. Such appears to have been the case with regard to Wolsey's plans for the Reformation of the Church, his condemnation of "Lutheran" books, and his treatment of the divorce question; and even his astute policy could not prevent the shipwreck of his fortunes and happiness.

Similarity of Wolsey's position to that of Ximenes

The political position accorded to Wolsey was no doubt suggested by that which Cardinal Ximenes was occupying in the kingdom of Spain, and which he occupied for nearly twenty years, almost up to the time of his death in 1517. It is also probable that Wolsey's ideas on the subject of Church Reform were derived in some degree from the course taken by his great Spanish contemporary, who founded an university, made vigorous efforts to revive a better discipline among the clergy and monks, and encouraged with a noble liberality the establishment of a sound scriptural school of theology.[7] But the necessity for such reforms was evident to all good and observant men of that time: and we have already seen how vigorously Dean Colet urged it upon the bishops at the opening of the Convocation of Canterbury in 1512. Possibly Wolsey, being then Dean of Lincoln and Canon of Windsor, was present at this Convocation, and if so, the earnest words of one with whom he had some personal acquaintance, if not friendship, may have had their effect in consolidating his own opinions on the subject.[8] His own great mind was, however, of too original a cast to make it necessary for us to look much elsewhere for the origin of his ideas, and what those ideas were we may gather from his subsequent acts.

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[7] See also page 9.

[8] Colet and Wolsey were contemporaries at Magdalen College, Oxford: and there seems to be some indication of private friendship, in the fact that Colet preached at Westminster Abbey on the occasion of Wolsey's installation as

That which we shall thus gather it will be convenient to state in a summary form at the outset; and, supposing that Wolsey had, in the early part of his public life, formed a complete and definite plan of his intentions as to the Reformation of the Church of England, we might imagine him to have condensed them into the following plan.[9]

His probable scheme for reformation

1. To provide a better educated class of clergy by founding professorships at the Universities, by building new colleges, and by establishing schools similar to Winchester and Eton as feeders for them.

2. To have a general visitation of the clergy and the monks by a central and supreme authority, which could not be resisted, for the purpose of restoring sound discipline as to morals, and for enforcing strict performance of duties.

3. To found new bishoprics in the large towns out of the great monasteries already existing there.

4. To conciliate the king, the old-fashioned

Cardinal, Warham and Fisher being the chief officiating Bishops. Wolsey took, at least, so much interest in St. Paul's school as to go and see the play of Dido acted, which Rightwise, the second master, had written. He also adopted the grammar written by Lily, the headmaster, for his college at Ipswich, writing a preface for it himself. Lupset, another of Colet's friends, was tutor to Wolsey's son, Wynter, and also his first professor of rhetoric and humanity, and afterwards of Greek, at Oxford. Just before Colet's death, he wrote to Wolsey asking for preferment for Rightwise, and ends his letter with some anxious remarks about the Cardinal's failing health. [Ellis' Orig. Letters, III., i. 190.] After his fall, Wolsey retired to the house which Colet had built at Sheen for his own retirement. All these circumstances seem to show that there was some degree of intimacy between them.

[9] This summary may be compared with the constitutions issued for the Northern Province by Wolsey as Archbishop of York. [See Wilkins' Concilia, iii. 662.]

bishops, and the obstructive party generally, by opposing the importation of foreign elements, such as Lutheranism, into the Universities or elsewhere.

5. To practise toleration as far as possible towards hot-headed reformers, and to give employment in the new colleges to the best and most learned of them.

6. To promote theological learning by encouraging the study of Greek, and by enriching the libraries of the Universities.

7. To obtain the fullest authority possible from the Pope and the King for carrying out these reforms, and to seek the Popedom itself, that they might be extended to the Church at large.

Its comprehensive character

The splendour of this noble programme is not lessened by the consideration that it was very unlikely Wolsey would form so full and definite a plan at the outset of his career. Even if we extend it over fifteen years, from 1514 to 1529, and allow that it formed only a portion of the great schemes which passed through the brain of one who was far the greatest political ruler England had yet seen, we must still acknowledge that it was the most comprehensive view of Church reform that was ever contemplated, and one before which the actual Reformation shrinks into a confused mass of half accomplished good and unobstructed evil. Perhaps the very magnitude of Wolsey's plans was one element in their failure; and with all his far-sightedness, he had not made sufficient allowance for human weakness.[1]

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[1] There is a touching letter from Wolsey to the University of Oxford, dated October 22, 1522, in which he says, "I have often applied my thoughts to arranging the affairs of your University, but business after business has come upon me of the most important kind, so that I have never found sufficient leisure for devoting myself entirely to this object." [Fiddes' Wolsey, Collect., No. 63.]

Appointed Bishop of Lincoln

In the year 1514, Wolsey was appointed to the See of Lincoln, that being the first English Bishopric that had fallen vacant since Henry VIII.'s accession to the throne, five years before.[2] He was consecrated at Lambeth on March 26, but held the see only a few months, being advanced to that of York on the death of Cardinal Bainbridge, which occurred on July 14, 1514, and a new Bishop of Lincoln being consecrated in the beginning of November. At this time ecclesiastical benefices were used by the English sovereigns as a means by which to provide salaries for their great officers, and several others of lower degree were held by Wolsey to enable him to keep up the state and expense incident to his position.

Archbishop of York and Cardinal

Immediately on hearing of the death of Cardinal Bainbridge, the King wrote to the Pope requesting him to appoint Wolsey, now to be Archbishop of York, to the vacant English Cardinalate;[3] and in September of the same year, Pace wrote from Rome to Wolsey telling him that Leo X. had been making secret inquiries respecting the Archbishop's character, and himself suggesting how much good service the latter could render to the King if resident as Cardinal at the Court of Rome.[4] It was possibly the knowledge that Wolsey would not reside there,

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[2] Ruthal, the King's secretary, was consecrated Bishop of Durham on June 24, 1509, two months after the accession of Henry VIII., but the see had been vacated, by Cardinal Bainbridge's appointment to York, in the previous year, and probably Ruthal's consecration was delayed by Henry VII.'s death.

[3] The letter of Henry VIII., entitled "Angliæ Regis ad Leonem X. pro Episcopo Lincolniensi ad Cardinalatus honorem promovendo," is among the Vatican Transcripts, Brit. Mus. Add. MSS., No. 15,387, page 449. It is dated from Greenwich, August 12, 1514. Ellis' Orig. Letters, III. i. 178. Brewer's Calend. St. Pap., i. 5455.

[4] Ellis' Orig. Letters, III. i. 178.

Applies to be made Legate, or else for power to visit exempt monasteries

which led the Pope to delay his appointment so long, for a year later, in July 1515, Henry is found importuning Leo on the same subject. He begs that the Pope will pay the same regard to what Wolsey may say in correspondence as if it came from the King himself; returns him "huge thanks" for his intended regard for the dignity of his minister; and expresses his extreme anxiety for the Cardinalate to be given him. The King concludes his letter by urging Wolsey's genius, learning, and many other admirable qualities, and presses the Pope to make the appointment as soon as possible.[5] At the same time, Wolsey himself wrote to the Bishop of Worcester, the English ambassador at Rome, expressing his surprise that the Pope should make such frequent promises and yet delay so long; and he hints that delay is damaging the Pope's influence with the King, while refusal would be really dangerous. A few days afterwards he writes again to the Bishop, enclosing a very important letter to the Pope, which was not to be delivered until his appointment as Cardinal was secure. In this letter Wolsey asks to be made Legate as well as Cardinal: and De Gigliis is privately instructed that if the Pope refuses this, he is to be pressed for a faculty empowering Wolsey to visit those English monasteries which are exempted from Episcopal jurisdiction, and subject to the Pope's own authority only. If this latter request is skilfully put, Wolsey thinks it will not be refused.[6] His actual election to the Cardinalate took place on September 10, 1515, and he was invested or installed, with immense state, in Westminster Abbey on November 18. But the Pope declined to make him

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[5] Martene Vet. Script. iii. 1296.

[6] Brewer's Calend. St. Pap., ii. 763, 780.

Legate at present, and left the visitatorial question undecided.[7]

Proposed reforms, then

The letter of Wolsey to De Gigliis shows that, at this early age of his government, he had already in view a most important part of those reformation plans which have been conjecturally sketched out. He wished for the full powers of Legate *a latere*, and in the event of not being able to obtain them, he desired at once to have authority to carry out part of what he had intended to do had he been invested with them. If he could not get authority to inquire into and reform the condition of the whole Church of England, he would begin at what was notoriously the most corrupted part of it, the exempt monasteries, which had grown to what they were through want of proper supervision.

Why the Pope hesitated

The Pope had his own reasons for so decidedly refusing Wolsey's requests, although they were doubtless known, unofficially, to be backed by the King. Probably the Cardinal's determination to remain in England, and his well-known *nationalism*, made Leo averse to giving him any extraordinary powers, though he dared not any longer refuse the dignity (for it was nothing more under the circumstances) of the Cardinalate.

Legates appointed for another purpose

The subject of the legateship was curiously revived, however, about two years afterwards. At the end of March 1518, the King received a despatch from De Gigliis stating that the Pope had, on the 4th instant, created four legates to four European sovereigns, for the purpose of arranging an expedition against the Turks; and that Cardinal Campeggio had been appointed Legate to the King of England.

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[7] Brewer's Calend. St. Pap., ii. 967.

Wolsey was not with the King at the time, and the despatch was sent on to him, with a message from the latter, to the effect that it was not the rule of his realm to admit legates *de latere*.[8] If, however, he had nothing else to treat of except the expedition against the Turks, he might be admitted.[9] But a despatch of a much stronger character was eventually sent, no doubt after consultation between the King and his minister. This is dated April 11, and in it Wolsey instructs the English Ambassador to say that the King has been informed of the Pope's intention to send a legate to each of the great princes of Christendom for the purpose of consulting about the Turk's aggressions, and understands that Cardinal Campeggio has been appointed to execute this office in England. That although it is not usual to admit any foreign cardinal to exercise legatine authority in England, yet the King is willing to waive his objection, provided that all those faculties are suspended which are conceded, *de jure*, to legates, and provided that Wolsey be joined with Campeggio, and have equal authority given him by the Papal mandate. Then the despatch goes on to say that the King is very strictly bound to obey the municipal laws of his realm, which strictly forbid the admission of a foreign legate *de latere*, and that unless these conditions are complied with, he will not permit Campeggio to enter his kingdom.[1]

Wolsey requires certain conditions from the Pope

Appointed Joint-Legate with Campeggio

A month after this stout despatch, on May 17, 1518 (which was probably as soon as possible after the Bishop of Worcester had communicated its contents to the Pope), Wolsey was nominated principal legate, and Campeggio second legate, the latter setting out on his journey. He was detained for nearly three months at Calais, evidently out of policy, to show that he was received at all only as a favour; and although he was ultimately carried from Canterbury to London with much state, Wolsey carefully avoided paying him any attention in person until his arrival there. Afterwards, when the business for which he had come was being transacted, Campeggio was placed in a conspicuously subordinate position, and the mission was treated (according to Giustiniani) with a good deal of contempt. Campeggio was made to feel that he was a mere pageant-legate, and that the real business was kept in the hands of Wolsey and the King.[2]

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[8] The Archbishop of Canterbury was always *Legatus natus*, or Legate *ex officio*.

[9] Brewer's Calend. St. Pap., ii. 4034.

[1] Ibid., ii. 4073.

The fact is that neither the King nor Wolsey felt any hearty interest in the question on which alone Campeggio was allowed to speak; while having obtained for Wolsey the visitatorial powers which had previously been sought, they were rather anxious to get rid of the foreign legate than otherwise. By what clever negotiations Leo had been persuaded to grant that which he had before refused cannot now be known, but it is certain that, on August 27, 1518, the Ambassador of England at the Court of Rome wrote a despatch, with which he forwarded the necessary authority for the visitation of the monasteries, adding that the clergy were not included, as the bishops already had power to visit them[3] for the reformation of abuses." It is observable that the

Visitatorial power conceded by the Pope

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[2] Brewer's Calend. St. Pap., ii. 4194, 4371, 4243.

[3] This power Wolsey had already exercised by issuing a set of constitutions, not for his own diocese only, but for the whole province of York. In these constitutions [Wilkins' Conc., iii., 662] there may be found something more than the germ of his plans for general reformation.

Bishop of Worcester adds in his private despatch that he has often been struck with the need in which monasteries stood of reformation, and that great care will be required in dealing with nunneries, as many abuses would be found in them. Speaking for his own diocese, De Gigliis thinks the visitation will probably lead to much discontent.[4] This shows that Wolsey's intentions were known to be of a sweeping character ; that the Pope's delegation of his authority went to the extent of empowering a complete visitation and reform of *all* English monasteries ; and that for the present he left Wolsey to deal as he could with the clergy who were not monks by means of powers already existing.[5] The authority thus concentrated in Wolsey's hands was similar to that afterwards given to Cromwell when he was made vicar-general, but this was founded on the then received principles of the Constitution, while Cromwell's was altogether an innovation.

Appointed sole Legate

On the departure of Campeggio from England, Wolsey was appointed sole legate *a latere*, by a bull dated June 10, 1519,[6] his exercise of the office being limited to one year from that date. Before this bull had arrived in England, Wolsey wrote to De Gigliis, giving reasons against such a limitation, saying that the Pope could revoke his commission at any time, and that his only motive in wishing to continue legate was that he might use his office in the service of God.[7] Campeggio advised the Pope to grant Wolsey's request, and declared that the Cardinal had no regard whatever to his own interests, but *to the more authoritative reformation of the monks and clergy*.[8] After some months, Leo X. yielded to these requests so far as to extend Wolsey's legatine authority to three years instead of one. The bull for this extension is dated January 6, 1520–1.[9] It had no sooner arrived in England than Henry VIII. wrote to the Pope expressing his extreme satisfaction at the favour shown to Wolsey by his Holiness; but while expressly thanking him for extending the legatine authority of the Cardinal to three years, adds, that he should have been better pleased had it been prolonged for an indefinite period, as it would have enabled him to proceed with greater vigour in the reformation of the clergy.[1] This letter shows how entirely Henry consented to and approved of the appointment, in spite of all that was afterwards alleged by Wolsey's enemies and traducers.

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[4] Brewer's Calend. St. Pap., ii. 4399.

[5] In the Bull of 1521, the power of visitation is expressly extended to "Seculares Ecclesiasticas personas."

[6] Brewer's Calend. St. Pap., iii. 475; Fiddes' Wolsey, Collect., p. 96.

[7] Brewer's Calend. St. Pap., iii. 406.

His powers extended

The King's remonstrance with the Pope led him to grant a still further extension of the legateship; and Leo issued another bull on April 1, 1521, in which, after rehearsing that he had granted to Wolsey and Campeggio the right of visiting monasteries, exempt and non-exempt, that on Campeggio's departure from England he had granted the same powers to Wolsey alone for a year, and after that for two years further, he now extends the privilege for two years more, with some additional powers, stating that the grant is made "*intercessione etiam prefati Henrici Regis.*"[2]

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[8] Brewer's Calend. St. Pap., iii. 533.

[9] Ibid., 557, 1123, 1124; Rymer, xiii. 734.

[1] Brewer's Calend. St. Pap., iii. 600.

[2] Ibid., 1216; Rymer, xiii. 739.

On the death of Leo X., the duration of Wolsey's legateship was still further prolonged, Adrian VI. issuing a bull on January 12, 1523, extending it for five years, dating from the termination of the preceding term, but declining to grant it for life.[3] It was eventually renewed for life by Clement VII.

No ground for charging Wolsey with an illegal act

One of the charges brought against Wolsey at his attainder was, that he had exercised his legatine office contrary to the laws, and without the sanction of the King; and this was the pretence on which he, and afterwards the whole of the clergy, were brought under the terrible law of *præmunire.* The Cardinal declared to the judges who were sent to examine him, that "he had the King's license in his coffer, under his hand and broad seal, for exercising the office of legate." He had written, so long ago as 1518, in a letter to Warham, respecting the Reformation of the Church; "being legate *a latere,* to me chiefly it appertaineth to see the reformation of the premises, though hitherto, nor in time coming, I have nor will execute any jurisdiction as legate *a latere*, but only as shall stand with the King's pleasure."[4] In after years, Bishop Gardiner also stated, that "my old master the Cardinal obtained his legateship by our late sovereign lord's request at Rome; and in his sight and knowledge occupied the same with his two crosses and maces borne before him many years."[5] Both these declarations are distinctly confirmed by the correspondence cited, and still existing in manuscript; and there cannot be a shadow of doubt that Henry VIII. gave his fullest assent to the procuring and the exercise of the legatine powers of Wolsey at the time they were asked for, and afterwards. It may, indeed, be doubted whether this assent and license sufficed *technically* to override the law, which forbade the admission of any legate *a latere* into England. But, considering what the power of the crown was in those days, and that the King's license for the evasion of the act held good in other cases, there is really no reason for saying that Wolsey tampered with the rights of the crown and with the laws of the land when he ventured to act as legate. No doubt, he and the King, and others also, considered that the royal license gave him full legal permission to do so; and what was done in the matter, whether by the Pope, the King, or Wolsey himself, was done in good faith, and on what were believed to be constitutional principles.

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[3] Brewer's Calend. St. Pap., iii. 2766, 2891; Rymer, xiii. 795.

[4] Wilkins' Concil., iii. 660.

[5] Petyt, Jus Parl., p. 200. The latter part of Gardiner's assertion is confirmed by Dr. Barnes' invective against Wolsey's "pillars," &c.; also by Polydore Vergil, and Skelton.

All parties acted in good faith.

Council of Westminster, A.D. 1519

Shortly after Wolsey had been made joint-legate, with sole authority respecting visitation of the monasteries, he called together a council of the English bishops and some abbots, which met at Westminster on the Monday after Ash Wednesday, in the year 1519, it having been postponed from September 9 of the previous year, in consequence of the plague. At this council, some constitutions for the reformation of the Church were agreed upon, which were afterwards published to the clergy at diocesan synods, summoned for the purpose by each bishop.[6] Very little, unfortunately, is known about this council, nor is it certain that the constitutions attributed to it are really of that date.[7] Perhaps it was not to be expected that much should be effected at this first step, and Wolsey may have summoned the bishops chiefly for the purpose of making them officially acquainted with his newly acquired authority and his intentions.

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[6] Wilkins' Conc., iii. 660, 661, 681, 682.

[7] In Strype's Ecc. Mem., I. ii. 25, there is an interesting letter from

Attempt at monastic reformation

But as soon as those intentions became known, they began to meet with opposition. "I perceive by your letters," wrote John Penny, Bishop of Carlisle, "your desire to repress the vices and errors which are beginning to spread through Christendom. Though *a hard task*, it will be to your glory."[8] The opposition came partly from the old-fashioned clergy, who were disposed to set up Archbishop Warham as their champion.[9] But it took the most tangible form in the hands of the Friars Observants or Franciscans, who refused altogether to recognise the Cardinal's visitatorial authority, and took a certain method of delay, that of an appeal to the Pope.[1] Wolsey seems, however, to have entered into amicable arrangements with other orders, and there is an interesting account among the State Papers of the formal submission to him of the Augustinians, for the purpose of reformation at his hands.[2] On June 16, 1518, the canons of that order, to the number of 170, of whom 36 were *prelati*, met at the Abbey of St. Mary, Leicester, and after the processions, or litany, had been sung, listened to a

Some acquiesce in the movement

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the aged Fox, Bishop of Winchester, written on Dec. 31, 1518, and congratulating the Cardinal on his determination to reform the Church. He considers that such a reformation would abate the calumnies of the laity in general, and reconcile the King and nobility to the clergy.

[8] Brewer's Calend. St. Pap., iii. 77.

[9] Ibid. iii. 77 (6).

[1] They seem eventually to have submitted, Leo X. writing to that effect to Wolsey. [Ibid. iii. 569.]

[2] Ibid. ii., App. 48.

sermon preached by Dr. Bell, from the significant text, "Wisdom hath builded her house." Returning to the chapter-house, a discussion took place on the reformation of the order. On Monday, an elegant sermon was preached by Peter Hardyng, Prior of Bridlington, on the text, "Egredere de terra tua;" and after various business a letter was read from the Cardinal, dated Beaconsfield, June 12, 1518, in which the writer insisted on the importance of learning as the greatest preservative of the Catholic faith, and the great distinction between men and brutes. He could not, he said, observe without regret, that so few men of that religious order applied themselves to study, and he expressed his determination to found a college for the order, the members of which should give themselves exclusively to learning. On the Wednesday reports of the visitors were received, and thanks given to the Cardinal for his letter, his Grace being admitted as a confrere of the chapter, and commissioned to reform the statutes of the college at Oxford, under the general authority of the order. Visitors were reappointed, and the next chapter ordered to be held at St. Frideswide's, Oxford. This was communicated to Wolsey the same day; the chapter writing to acquaint him that he was appointed a brother of the order and a participator of all its benefits, and submitting themselves entirely to his authority as a reformer. It is very significant to find this record end with a statement that the reason why the discipline of the order was so bad was, that the superiors were afraid of the statute of *præmunire* being brought to bear upon them if they should correct offending brethren. On March 22, 1519-20, Wolsey

Especially the Augustinians

But they fear the *præmunire*

issued new statutes for the Augustinians, in which he endeavoured to bring them back to a stricter observance of their rule, to a more ascetic life, and to the cultivation of learning.[3]

His popularity at Cambridge and Oxford

At the same time that Wolsey was thus drawing the monastic orders into a friendly acquiescence with his plans for their reformation, he was also getting into his hands the supreme control of the universities for the same purpose. Each of them had long before given him special tokens of their respect, for as early as May 1514 (when Erasmus was Margaret Professor of Divinity), Cambridge had offered him the chancellorship, which he declined;[4] and in 1515, Oxford had sent him an official intimation that his name was for the future to be mentioned in the Bidding Prayer by preachers of that university.[5] Perhaps there was something of gratitude for benefits expected in these rather eager tokens of university respect; but there seems to have been a feeling of mutual affection between Wolsey and Oxford which made him seek her reformation by many noble acts of munificence, culminating in the foundation of Christ Church.

Wolsey seems to have taken the opportunity of a royal visit to Oxford for first broaching the subject of his intentions. About Easter, 1518, the King and Queen were at Abingdon, and Wolsey with them. The Queen paid a visit to the University, and was accompanied by the Cardinal, addresses being made to them both by the public orator. In reply to that addressed to himself, Wolsey declared that he had the welfare of Oxford very much at heart, and proposed to show his great interest in the University by founding several professorships and by reforming the statutes. This proposition was received with gratitude by the University at large; but Archbishop Warham, who was chancellor, objected at first to throw so much power into the hands of one person, and seems to have given up his own opinion in deference to that of the University when he consented, in the end, that Wolsey's proposal should be complied with. He, however, signified his assent in a letter to the University, dated at Oxford, May 22, 1518;[6] and it is no slight evidence of the Cardinal's popularity there that a vote of convocation placed the University statutes entirely in his power, for the purpose of reformation, within about a week afterwards,—the document being dated June 1st.[7]

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[3] Wilkins' Concilia, iii., 683. It is curious to find that while permitting the use of organs, these statutes of Wolsey forbid "prick song," or elaborate singing, and enjoined "plain song." The minute attention given to discipline is illustrated by one which regulates the access of laundresses to the monastery.

[4] Ellis' Orig. Letters, III. i. 168.

[5] Brewer's Calend. St. Pap., i. 934.

Founds seven professorships at Oxford

The first use which Wolsey made of the power thus placed in his hands, was to establish the professorships which he had promised. These were seven in number, namely, those of Theology, Civil Law, Medicine, Rhetoric, Mathematics, and Greek.[8] All the endowments of these were forfeited to the King on the Cardinal's fall, and the professorships dropped in consequence. But a few years later four out of the number were recreated, under the name of *Regius* professorships. Henry VIII. did not, however, refund the endowments, but, characteristically appropriating the honour of the foundation, characteristically also made somebody else—in this case the Dean and Chapter of Westminster—pay the stipends of the professors.[9] Wolsey set much value upon the study of Greek, having been an intimate friend of Linacre, the first president of the College of Physicians (another of Wolsey's noble institutions), who was fellow of All Souls as early as 1484, and taught Greek to Erasmus and Sir Thomas More. His first theological professor was Thomas Brynknell. His first Greek professor was Calphurnius, a native of Greece, who introduced the pronunciation now generally used by English scholars, but which was for some time a matter of bitter controversy at Oxford.[1] His first professor of rhetoric was the famous Ludovicus Vives. In 1521 Wolsey appointed, as successor of Calphurnius, Lupset, who had been brought into notice by Dean Colet, and had been tutor to Thomas Wynter, the Cardinal's son, a great friend of Linacre, More, and Erasmus.[2] By thus promoting the study of Greek, Theology, and other branches of learning, Wolsey was taking an important step towards elevating the standard of education, especially among the clergy; and showed himself in this as in most other things to be a man in advance of his generation. His efforts as to Greek met with very great opposition from the young Oxford of the day—those junior members of common rooms whose opinions are mostly very worthy of veneration in their own eyes; but by the aid of Sir Thomas More, Wolsey was able to overcome this opposition, and Oxford learned Greek in spite of its teeth. Whether or not Wolsey had anything to do with the introduction of Greek into Cambridge is uncertain. Erasmus was invited there by Fisher, Bishop of Rochester, who was chancellor of the University from 1504 till his death. That great scholar, but graceless man, was also appointed to the Greek professorship by Fisher's influence. But the successor of Erasmus was the learned Dr. Croke (otherwise Blunt), who was employed in very important State affairs during the rule of Wolsey. Cambridge, however, was being well provided for by the splendid benefactions of Henry VI. and the Lady Margaret, and by the zeal of its chancellor, Bishop Fisher, and did not stand in so much need of Wolsey's fostering care. Nor did Cambridge follow the example of surrendering its statutes to him for reformation until April 15, 1524.[3] In the year previous (1523) a visitation of Cambridge University, for the purpose of eradicating "Lutheran" opinions, had been projected; Fisher, Bishop of Rochester, and West, Bishop of Ely, being the visitors proposed. But Wolsey set his foot upon this plan, superseding the two bishops by Dr. Shorton, Master of Pembroke Hall, Wolsey's com-

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[6] Fiddës' Wolsey, Collect., p. 34.

[7] Ibid., 29.

[8] A year later, on July 14th, 1519, the University wrote to Wolsey, saying that the students had much profited by the Readerships which he had founded. [Fiddës, Ibid.] About the same time Erasmus highly commends the heroic courage of the Cardinal, to whom Oxford owes so much for its improvements in learning and discipline. "Ac prorsus," he writes to Lord Mountjoy, "heroicum animum Thomæ Cardinalis Eboracensis cujus prudentia schola Oxoniensis, non solum omni linguarum ac studiarum genere, verum et moribus qui deceant optima studia, condecorabitur." Erasm. Ep. vi. 27.

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[9] The charge was transferred, in later days, to Christ Church.

[1] Ecc. Mem. i. 194. Strype quotes Dr. Caius "de pronunciatione Græcæ ac Latinæ Linguæ" as his authority.

[2] Probably the first instance of any language being printed in other than English type, by an English printer, is in the case of a few Arabic and Hebrew letters, printed in a book on the study of Arabic, Chaldee, and Hebrew, written by Robert Wakefield, Canon of King's College, Oxford, and printed in 1524 by Wynkyn de Worde. These characters are evidently cut in wood, and very roughly cut. The author complains that he was obliged to omit the whole of the third part of his treatise because the printer had no Hebrew types. It was this Wakefield who first suggested that the European mind should be consulted as to the Divorce.

[illegible]

Wolsey keeps visitation of heretics in his own hands nursery for the selection of Cambridge students of mark for Christ Church, and a well-known favourer of the proscribed opinions.[4] It was probably some agitation arising out of this which led Cambridge to follow the example of Oxford, and commit its fortunes to the care of the great Cardinal.

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[3] Fiddës' Wolsey, Collect., p. 40.

Prepares to found Christ Church

A.D. 1520

About the year 1520, Wolsey began to make preparations for founding his great college at Oxford. Longland, Bishop of Lincoln, and confessor to the King, was his principal agent; and in the choice of one so closely associated with his Sovereign, Wolsey showed already the intention of connecting the foundation itself with the Crown, which he indicated in letters to the King, by calling it *his* college. In corresponding with Wolsey on the subject, Longland speaks strongly of the great satisfaction which Wolsey's plans were giving to Henry, and was evidently very zealous in the work himself, showing the King how "great good would ensue from this noble foundation, as well in the bringing up of youth in virtue, as in exceedingly tending to the maintenance of Christ's Church and His faith, to the King's honour and that of all the realm; and that many should be brought up there which would be able to do His Grace honourable service."

The King's hearty good-will to the plan

The King made Longland explain Wolsey's purpose to Queen Catherine, and the Bishop had evidently caught up some of Wolsey's own enthusiasm on the subject, when he "showed to the Queen's Grace the effect of all, and what great good should come of the same, as well to the conservation of Christ's Church and faith, as to the realm; where all good learning and letters should be, whereby resort should be out of all parts of Christendom to the same for learning and virtue; and showed her of the notable lectures that should be there, and of the exercitations of learning, and how the students should be limited by the readers to the same; *likewise in the exposition of the Bible,* and expressed to Her Grace the number of your house, the divine service of your college, and of the great suffrages of prayer ye have made her participant of."[5]

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[4] Fiddës' Wolsey, Collect., p. 212.

Wolsey's motives in founding Colleges

The success of this great plan was henceforth one of the principal objects of Wolsey's life. It has been usual to speak of it as if the Cardinal had proposed it to himself simply as a costly monument of his ambition; and if any measure of praise has been accorded to his memory in respect to it, the praise has generally been accompanied by some depreciatory expressions, implying that if his work was good at any rate his motive was bad. This is most unworthy treatment of the great founder's memory. There is not one word of his on record to show that personal ambition had anything to do with this noble undertaking; and even if there were, it would be far more generous and just to look upon such an ambition as one of the weaknesses to which even the greatest minds may be subject, than to treat it as if it were a proof of criminal baseness. But the real truth is, that Wolsey had as honourable motives in founding Christ Church as Dr. Merton, Waynfleet, or William of Wykeham had in founding Merton, Magdalen, and New Colleges; and, above all, the gratitude that Oxford and England at large owe to such promoters of sound learning, there is this due to Wolsey from the Church of England, that she owes him grateful remembrance for an honest and energetic attempt to guide the course of the Reformation by means of a vast educational institution, whose influence should be deeply impressed upon that and succeeding generations.

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[5] Ellis' Orig. Letters, I. i. 181.

Proposed foundation of a College for Law in London

College of Physicians

Wolsey's plan for suppression of the smaller monasteries

The foundation of this great college—an university within an university, as it was called by some—was a fragment of a plan for carrying out an object that the hearts of many wise men were at that time set on—that of extending the pastoral and educational portion of the Church's system, and compressing the monastic part. Another mighty fragment was the establishment of a college or university (as Stow calls it) in London, where the Canon and Civil Law should be made as prominent objects of study as Mathematics are at Cambridge. And, considering the close alliance between the clergy and the art of healing in those days, it is scarcely too much to say that the College of Physicians (which was founded chiefly by Wolsey) was another portion.[6] As it was clearly impossible for such a vast scheme to be carried out by private funds, so it was natural for Wolsey to look to the monastic foundations for them, the diminishing of their number being thought beneficial rather than injurious to the Church and kingdom. It had long been foreseen that, in reforming the monasteries, a large number of them must be extinguished as useless sinecures; and this idea of utilizing their property for educational objects, and for promoting Church extension among the growing population of the country, was one worthy of a great statesman. One can only marvel at the perverseness of party spirit, which has looked with so much disfavour on Wolsey's scheme for the appropriation of monastic property, and with so much toleration on that of the King. When, therefore, the Cardinal obtained bulls from the Pope, and letters patent from the Crown for the suppression of twenty small monasteries, and the appropriation of their lands to the foundation of Christ Church, he was really carrying out a very wise reform of the monastic system.[7] In continuation of it he afterwards obtained similar authority for suppressing all monasteries which had fewer than twelve inmates, and sending these to the larger establishments,—*making as many bishoprics as he considered necessary out of the large town monasteries by means of the funds thus acquired.* What a grand educational and diocesan system would Wolsey have developed in the Church of England had his plans been permitted to prosper!

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[6] Linacre, the first president, was in priest's orders, Rector of Wigan and Prebendary of Wells, and of the Collegiate Chapel of St. Stephen in Westminster Palace. When he resigned the latter he was succeeded by another clerical physician, Edward Fynche.

By authority from the King and the Pope.

The nucleus of the great college at Oxford was found ready to hand by Wolsey in the Benedictine priory of St. Frideswide, the largest of all the twenty religious houses appropriated for the purpose, and the adjoining Canterbury Hall. From the transactions already mentioned between Wolsey and the Augustinians, it is probable that the monks assented to his plans, and that the Chapter adjourned from St. Mary's, Leicester, to St. Frideswide's Oxford had some reference to them. It was calculated to smooth the way for an agreement between them that the new college would be so large as to be

Probable acquiescence of monks in dissolution capable of providing for most of those displaced by the dissolution of the twenty small monasteries. For Wolsey's plans were so extensive as to require one hundred and eighty-six officials for the college, including a dean, sub-dean, sixty senior canons, forty junior canons, thirteen chaplains, &c., with an endowment for hospitality towards strangers and the relief of the poor, which would entail a further addition to the number. The number of students calculated for must have been at least five hundred, but probably many more, for even the attenuated plan carried out by the King provided for one hundred.

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[7] It may be added that he was following in the steps of Bishop Waynfleet, who founded Magdalen,—Wolsey's own college,—in the same manner; as well as in those of other good men.

Grandeur of Wolsey's design still traceable

Some trace still remains of the grandeur which would have characterized the buildings, had they been finished according to Wolsey's designs. The first stage of the "Tom" tower is his work, and so is the plan of the great quadrangle. What the tower would have been may be imagined by comparing the dimensions of its existing portion with Wolsey's other Oxford tower, that of Magdalen College; and what the quadrangle would have been, may be partly understood by observing the arches on the walls, which still indicate the magnificent cloister for which they were prepared. The latter was omitted altogether in the subsequent foundation, and the tower remained a ruin until Sir Christopher Wren surmounted the fragment with the octagon turret, now so familiar to all who know Oxford. But the confiscation of Wolsey's possessions extinguished the grandeur of these plans. The King appropriated to his private use the monastic lands and revenues which had been, without any sacrilege, appropriated to a public and sacred purpose by Wolsey; and out of these confiscated revenues he doled out sufficient for carrying on as cheaply as possible the work which had been so nobly begun. The arches in the walls and the lower stage of the projected tower remain as melancholy monuments, which testify alike to the defeated magnificence of the subject and the victorious meanness of the King.[8]

[illegible] College [illegible] Ipswich. [illegible] A.D. 1529

As a feeder to this great college, Wolsey founded another on a smaller scale at Ipswich, his native place, where he proposed to prepare boys for Oxford, as in Wykeham's College at Winchester. This was commenced some years after Christ Church, but may be mentioned here as it was part of the same great scheme. Gardiner, Lee, and Cromwell were his principal agents in establishing the Ipswich College, and William Capon was appointed to be Dean in 1529. In September of that year, the three former carried to Ipswich a large portion of the Cardinal's "stuff," including copes, vestments, altar-cloths, plate, and other furniture for the chapel, together with hangings and all other things necessary for furnishing the great hall.[9] The foundation stone was laid, and the college dedicated in the name of St. Mary, after some progress had been made with the buildings; and the stone itself was discovered in a wall about a hundred years ago, with an inscription to the effect that it was laid by John Longland, Bishop of Lincoln, on June 15, 1528.[1]

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[8] The Priory of Canwell, in Leicestershire, was one of those appropriated by Wolsey to the foundation of the college. On his fall, Henry VIII. appropriated it instead to the purpose of compounding with an old creditor of the Crown, who had received a pension of 500 marks yearly under a grant of Edward III. Collier's Ecc. Hist., iv. 120.

[9] This was all appropriated by the King. See a letter of Capon's Ellis' Orig. Letters, III. ii. 231.

[1] It is now inserted in the wall of the anteroom leading to the chapter-house of Christ Church, Oxford, the following being the inscription,—"Anno Christi MDXXVIII. et Regni Henrici Octavi Regis Angliae XX. mensis vero Junii XV. Positum

Ipswich College welcomed by townspeople

Some particulars of the dedication festival are given in a letter from Capon to Wolsey. The corporation (who had given up some public lands for the use of the college), the townspeople, and "all the honourable gentlemen of the shire" were present, and forty copes were worn by those who took part in the proceedings. The foundation seems to have been very acceptable to Wolsey's fellow-townsmen, and its sudden ruin must have disappointed them greatly. Capon's letter ends with the significant statement that 171 tons of Caen stone are on the way to the college, and that he has made a contract for 1000 tons more to be delivered before Easter.[2] For the foundation of this college Wolsey obtained a bull and letters patent to appropriate ten more small monasteries. The site occupied six acres, and was granted by Henry VIII. to Thomas Alverde. James I. granted it to Richard Perceval and Edmund Duffield; and there is now only a gateway remaining to show for a work which would certainly have been equal, at least, to Winchester or Eton.[3]

But Wolsey had only just commenced the grand educational foundations by which he proposed to secure a more intellectual clergy for the rising generation, and thus to counteract the growth of an ignorant and heretical "party of progress," when he was importuned by the King and some of the

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per Johan. Epm. Lincolnen." Thus it has been preserved as fresh as on the day it was sculptured to offer a melancholy memorial of the destruction wrought, not by time, but by the wickedness of selfish men.

[2] Ellis' Orig. Letters, I. i. 185.

[3] Wolsey took so much interest in the practical work of his school that he wrote an exact set of rules for the classes, and edited a fresh Lily's Latin Grammar, writing a preface to it himself. It will be remembered that he began life as Master of Magdalen School.

bishops to adopt more immediate and vigorous measures for its suppression.

Wolsey's leniency towards "heretics"

Wolsey himself was always extremely lenient in dealing with those who were accused of heresy. Erasmus, who was not too ready to speak well of him, has some special words of praise for his gentle and kind courtesy,[4] and this seems to have been very conspicuous when such persons were brought before him.[5] Not even Foxe, who would certainly have accused him of severity if he could have done so, has any real charge of the kind to bring against him; nor is there one capital punishment for religion registered against Wolsey in the pages of that bitter historian and unscrupulous romancer. The King had lately, however, taken up a prominent position in the contest between Luther and the Pope by writing a book in defence of the received doctrine of the sacraments expressly against the German reformer. This was so ultra-Roman in its colouring, as shortly after to receive the highest approval of the Pope, and to win the title of "Defender of the Faith" from him for its author. But Wolsey was far from being so ultra-Roman as the King was,[6] and had openly expressed his disapproval of the royal treatise. On June 24, 1518, Secretary Pace had written to the Cardinal that the King was pleased with some signs of commendation which Wolsey had at length shown. "He is very glad to

Did not approve of the King's book against Luther have noted in your Grace's letters that his reasons be called inevitable, considering your Grace was some time his adversary herein and of contrary opinion."[7] And the subject is again referred to four days later, as if the King was making all he could of Wolsey's least word of approval. But of course the minister's public policy could not be openly separated from that of the King, and when, by the presentation of the book to Leo X., and the reward of the new title, Henry was committed to an extreme line of opposition to "Lutheranism," the Cardinal was obliged to curb his own feelings in some degree, and give effect to the wishes of his Sovereign.

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[4] Epp., xxix. 50. Sir Thomas More once used similar language. State Papers, i. 142.

[5] See the case of Dr. Barnes, further on. Taverner, the organist of St. Frideswide's, was accused of heresy before Wolsey, but he set him free with the politic excuse that he was "only a musician." Athen Cantab., i. 338.

[6] No doubt it was Wolsey, amongst others, that Erasmus meant when he wrote to Luther, "Habes in Anglia qui de tuis scriptis optime sentiant, et sunt hi maximi." Epp. vi. 4.

Is urged to severity against heretics

Moreover, the Archbishop of Canterbury and the Bishop of Lincoln, the latter of whom was confessor to the King, were pressing Wolsey to the utmost for a vigorous exercise of his supreme authority against the "Lutheran heretics," and there can be little doubt they were doing so either under private instructions from the King, or in accordance with his expressed wishes. Warham was chancellor of the University of Oxford, and wrote to Wolsey on March 8, 1521, as follows:—

Followers of Luther at Oxford

"Please it your good Grace to understand that now lately I received letters from the University of Oxford, and in these same certain news which I am very sorry to hear. For I am informed that divers of that University be infected with the heresies of Luther and of others of that sort, having among them a great number of books of the said perverse doctrine, which were forbidden by your Grace's authority as Legate *de latere* of the See Apostolic, and also by me as chancellor of the said University, to be had, kept, or read by any person of the same, except such as were licensed to have them to impugn and convince the erroneous opinions contained in them. But it is a sorrowful thing to see how greedily inconstant men, and especially inexpert youth, falleth to new doctrines, be they never so pestilent; and how prone they be to attempt that thing that they be forbidden of their superiors for their own wealth. I would I had suffered great pain, in condition this had not fortuned there where I was brought up in learning, and now am chancellor, albeit unworthy. And I doubt not but it is to your good Grace right pensiful hearing, seeing your Grace is the most honourable member that ever was of that University.

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[7] Brewer's Calend. St. Pap., ii. 202.

A grief to Warham

"And whereas the said University hath instantly desired me, by their letters, to be a mean and suitor unto your Grace for them, that it might please the same to decree such order to be taken touching the examination of the said persons suspected of heresy, that the said University run in as little infamy thereby, through your Grace's favour and justice, as may be after the quality of the offence.

A.D. 1521

"If this matter concerned not the cause of God and His Church, I would entirely beseech your Grace to tender the infamy of the University as it might please your incomparable wisdom and goodness to think best. For pity it were that through the lewdness of one or two cankered members, which, as I understand, have induced no small number of young and incircumspect folks to give ear unto them, the whole University should run in the infamy of so heinous a crime, the hearing whereof should be right delectable and pleasant to the open Lutherans beyond the sea, and secret behither, whereof they would take heart and confidence that their pestilent doctrines should increase and multiply, seeing both the Universities of England infected therewith, whereof the one hath many years been void of all heresies, and the other hath afore now taken upon her the praise that she was never defiled, and nevertheless now she is thought to be the original occasion and cause of the fall in Oxford.[8]

Heresy a novelty in Oxford

"By this my writing I intend in nowise to move, but that the captains of the said erroneous doctrine be punished to the fearful example of all other. But if all the whole number of young scholars suspected in this cause (which, as the University writeth to me, be marvellous sorry and repentant that ever they had any such books, or read or heard any of Luther's opinions) should be called up to London, it should engender great obloquy and slander to the University, both behither the sea and beyond, to the sorrow of all good men and the pleasure of heretics, desiring to have many followers of their mischief; and (as it is thought) the less bruit the better, for the avoiding whereof the said University hath desired me to move your Grace to be so good and gracious unto them, to give in commission to some sad father which was brought up in the said University of Oxford, to sit there and examine, not the heads (which it may please your Grace to reserve to your own examination), but the novices which be not yet thoroughly cankered in the said errors, and to put them to such correction as the quality of their transgression shall require, and shall be thought [to have deserved from your] Grace.

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[8] Wolsey's own importations from Cambridge were in fact the culprits, but Warham scarcely ventured beyond a hint that such was the case.

And had better not be made a public scandal

"Item, The said University hath desired me to move your good Grace to . . . my Lord of Rochester or my Lord of London to note out beside . . . works of Luther condemned already, the names of all other such n[ames] of writers, Luther's adherents, and repugnant to Catholic faith, and those names described . . . table send down to the University of Oxford, commanding them that no man, without express license, have, keep, or read any of the same books under pain of excommunication. Which, in mine opinion, should be a meritorious deed, whereby should be taken away the great occasion of falling hereafter into such inconveniences, for I understand there be many of those new writers as ill as Luther. And therefore it needeth this great provision to be made for stopping of them, as of Luther's."[9]

Heretical books in circulation

Wolsey replied to this letter by sending Warham some splendid offering for the Cathedral Church of

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[9] Ellis' Orig. Letters, III. i. 239. On June 16th following, Warham sent a priest before Wolsey for supporting Lutheranism, and for treasonable conduct. Brewer's Calend. St. Pap., iii. 1353. So that the Archbishop was very active on the subject.

Canterbury, in token of his continued orthodox support of the ancient order of things; but accompanied by a parcel of books relating to the modern heresies which had so excited the old Archbishop's indignation. In this double present we have a good illustration of the astute conciliatory policy by which Wolsey hoped gradually to draw such good but prejudiced men as Warham to a more reasonable and intelligent appreciation of the great movement which was going on in younger minds. Lutheranism was as repugnant to Warham's tastes and habits as ritualism would have been to an Archbishop of the Georgian era; but Wolsey saw that it could not be "put down" and "stamped out" by such means as Warham proposed, and sent his parcel of books to the good old man in the hope that they would lead him to study the question, and judge more prudently of its bearings.

Wolsey's answer to the Chancellor

A.D. 1521

At the same time Longland (who was bishop of Lincoln, the diocese in which Oxford was then comprehended) wrote to urge on Wolsey in the same direction which Warham wished him to take. "I have two Lutherans in my house," he writes, "the one is the priest that wrote the letter which I delivered to your Grace, the other is he that he wrote it unto. The priest is a very heretic, as appeareth by his confessions, and hath, as he durst, done hurt in my diocese; the other is ill, but not so ill. . . . I purpose, *unless your Grace command contrary*, to abjure them both and put them to open penance, and afterward to remain in two monasteries in penance till your pleasure be known. And in the honour of God beseech your honourable Grace, amongst all your godly labours and pains ye take

His opinions on the subject of the persecution known for the common wealth, to remember the infected persons in Oxford, some order and punishment to be taken with them ; for if sharpness be not now in this land many one shall be right bold to do ill. And, no doubt, there are more in Oxford as appeareth by such famous libels and bills as be set up in night times upon church doors. I have two of them, and delivered the third to my Lord of London. I trust your Grace hath seen it, whereby ye may perceive the corrupt minds, and if it may stand with your pleasure, forasmuch as they are in this case *de grege meo*, and I have charge of their souls, I shall as soon as my strength will serve me (which I think will be Michaelmas or it will come any thing), I shall be glad having your instructions. And knowing your pleasure in that behalf, to ride to Oxford myself for the ordering thereof, if it so shall stand with your honourable pleasure."[1]

Heretical broadsheets at Oxford

But this letter of Longland's as Bishop of Lincoln was apparently written to refresh Wolsey's memory, and edge on his reluctant mind. Another epistle of Longland's is extant, which he seems to have written immediately after an interview with the King, and in this he follows up his account of the satisfaction given to the King and Queen by Wolsey's plan for the foundation of Christ Church, by a counterbalance of the promises he has made respecting Wolsey's future proceedings against heretics.

Henry VIII. interested in the matter by Longland

"I ascertained him," he writes, "over this your pleasure concerning the secret search ye would this term make in divers places, naming the same unto him, and that at one time. And that ye would be at the Cross, having the clergy with you, and there to have a notable clerk to preach afore you a sermon contra Lutherum, Lutherianos, fautoresque eorum, contra opera eorum et libros, et contra inducentes eadem opera in regnum; and then to have a proclamation to give notice that every person having any works of Luther or of his fautor's making by a limited day, to bring them in sub pœna excommunicationis majoris, and that day limited, to fulminate the sentence against the contrary doers, and that if, after that day, any such works be known, or found with any person, the same to be convicted by abjuration; and if they will *contumaciter* persist in their contumacy, then to pursue them by the law *ad ignem*, as against an heretic. And that ye purpose over this to bind the said merchants and stationers in recognizances never to bring into this realm any such books, scrolls, or writings; which your godly purpose His Highness marvellously well alloweth, and doth much hold with that recognizance, for that some, and most part, will more fear that than excommunication. And His Grace thinks my Lord of Rochester to be the most meet to make that sermon afore you, both *propter auctoritatem, gravitatem, et doctrinam personæ.* His Highness is as good and gracious in this quarrel of God as can be thought, wished, or desired, and for the furtherance of this godly purpose as fervent in this cause of Christ His Church, and maintenance of the same as ever noble prince was."

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[1] Ellis' Orig. Letters, III. i. 253.

King thinks booksellers fear fines more than excommunication

Now, it might seem at first as if all this was really said by direction of Wolsey. But it is clear that Longland (whose severity against the real heretics he had in his own diocese had been very conspicuous) was, in reality, trying to urge on both the King and Wolsey. "I declared unto him (he goes on to say) what high power and name he hath obtained by his notable work made against Luther, and in what estimation he is in throughout Christendom, and that now in this suppression of Luther, his adherents and disciples should get much more laud, praise, and honour, and immortal name, besides the honour and wealth of his realm, and high merit of his so . . . he is most gracious toward and ready in this cause of God . . . your Grace shall well perceive when ye shall speak with him." But Longland was evidently far from certain that Wolsey would endorse all his fervent speeches and engagements, for he goes on to give him an earnest exhortation that he will carry on the proposed work. "It may please your Grace of your merciful goodness, among all these great affairs to remember this matter to His Highness, to animate him in this cause of Christ, of Christ and His Church, for the depression of the enemies of God. The world is marvellously bent against . . . [severity] . . . and it is the King's Grace and you that must remedy the same. God hath sent your Grace amongst us to advance His honour and maintain His Church and Faith, for whom we all are most bound to pray, and for your most noble prosperous estate long to endure."[2]

The King's controversy with Luther

Luther's principal, or at least his most voluminous works were written during the quarter of a century which followed. Up to the date of this letter he had written a few trenchant pamphlets and the volume to which Henry VIII. had replied, "The Babylonish Captivity of the Church." It was this book, no doubt, which the King and Longland were anxious to suppress, and it had been brought into so much notoriety by having a king for its opponent that large numbers had in the nature of things found their way into England, every one being

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[2] Ellis' Orig. Letters, I. i. 181. The editor of "Original Letters" follows Anthony Wood in giving this letter to the year 1523, but the proposed proclamation is plainly that which was issued on May 14, 1521. The letter was written on January 5th.

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curious to see what the arch-heretic had written to deserve the notice of so exalted an antagonist. For although the King's book was not yet published to the world at large, its existence was perfectly well known, especially at the universities, and it was printed by Pynson in the early part of 1521.

It was impossible for Wolsey to have resisted an appeal in which the King's literary and theological honour was so much concerned; and although he probably knew too much of the world to suppose that opinions could be suppressed by making them more notorious, yet he could have had no objection to condemn a book like the "Babylonish Captivity," which is full of most reckless and irreverent statements respecting the Sacraments. Nor could he have any respect, nor ought he to have had any, for the vile and ribald tracts which were beginning to be circulated by the rising Puritans, and which were the works of Luther's "fautors," referred to by the Bishop of Lincoln. On May 14, 1521, Wolsey therefore issued a commission or proclamation admonishing all persons, ecclesiastical or secular, to bring in to their bishop or his commissary, all pamphlets and books written by Luther or his supporters, whether in Latin, English, or German. This "commission" first recites the Pope's bull of June 19, 1520,[3] condemning the errors of Luther and sequestrating his writings, and then states that it has been

Lutheran books prohibited

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[3] Wolsey had declined to act on this bull, alleging that it did not give him power to burn Lutheran books in England. This led the Pope, through Cardinal Medici, to send another copy of the bull, requesting Wolsey to publish it in England. He also sends a copy of Luther's book, declaring that *not the book but the author ought to be condemned to the flames.* [Brewer's Calend. St. Pap., iii. 1210, 1234.] The Cardinal's "mandate," with the list of forty-two Lutheran errors condemned, is in Wilkins' Concil., iii. 690.

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issued with the consent and *by the express will and commandment* of the King, as also after consultation with the Archbishop of Canterbury and some other venerable prelates. It seems as if Wolsey had taken particular care to throw the responsibility of an act of which he did not wholly approve on the shoulders of the Pope, the King, and the elder bishops, and to make it plain that he exercised his legatine authority ministerially, rather than of his own will, in using it on this occasion. However, the bishops were to require all publishers, stationers, and booksellers, as well as all other persons, to bring in the prohibited books and pamphlets by the 1st of August, and when thus collected they were to be sent up to the Cardinal himself. A list of forty-two Lutheran errors, condemned by the Pope, was also set forth at the end of the document; and was ordered to be set up on the doors of churches for the sake of publicity. The subsequent sermon, suggested by Longland, was preached at Paul's Cross, by Fisher, Bishop of Rochester, the prelate designated by the King, and the collected books were burned with great ceremony. For the account of what took place at St. Paul's, we are indebted to Foxe, who gives it in his "story of Dr. Barnes and others;" and one may, perhaps, believe that he has not very much misrepresented the facts.

but not by Wolsey's sole authority

Heretical Books burned at St. Paul's

with great ceremony

"In the morning they were all ready, by their hour appointed, in Paul's Church, the Church being so full that no man could get in.[4] The Cardinal had a scaffold made on the top of the stairs," that is on the space above the altar-steps,

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[4] Old St. Paul's was 230 feet longer than the present building, or about half as large again as York Minster, which is the cathedral of largest area that we now possess in England. The crowding of such a building shows how great an excitement existed.

"for himself, with six-and-thirty abbots, mitred priors, and bishops; and he, in his whole pomp, mitred (which Barnes spake against), sat there enthronised, his chaplains and spiritual doctors in gowns of damask and satin, and he himself in purple; even like a bloody antichrist. And there was a new pulpit erected on the top of the stairs also, for the Bishop of Rochester to preach against Luther and Dr. Barnes;[5] and great baskets full of books standing before them within the rails, which were commanded after the great fire was made before the rood of Northen, there to be burned; and these heretics" [Dr. Barnes and four others], "after the sermon, to go thrice about the fire, and to cast in their faggots. Now, while the sermon was a doing, Dr. Barnes and the Still-yard men were commanded to kneel down, and ask forgiveness of God, of the Catholic Church, and of the Cardinal's Grace: and after that, he was commanded at the end of the sermon to declare that he was more charitably handled than he deserved or was worthy; his heresies were so horrible and so detestable. And once again, he kneeled down on his knees, desiring of the people forgiveness, and to pray for him. And so the Cardinal departed under a canopy, with all his mitred men with him, till he came to the second gate of Paul's; and then he took his mule, and the mitred men came back again. Then these poor men, being commanded to come down from the stage (whereon the sweepers use to stand when they sweep the Church), the bishops sat them down again, and commanded the Knight Marshal, and the Warden of the Fleet, with their company, to carry them about the fire. And so they were brought to the bishops, and there, for absolution, kneeled down; where Rochester stood up and declared unto the people how many days of pardon and forgiveness of sins they had, for being at that sermon: and there did he assoil Dr. Barnes with the others, and showed the people that they were received into the Church again."[6]

Foxe's idea of a scarlet gown

The heretics sent away unharmed

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[5] Dr. Barnes was a mere fanatic, and Foxe has done him an honour which was not intended for him by the preacher, in coupling him with Luther.

[6] Foxe, v. 418, Ed. 1838. Bishop Fisher's sermon was translated into Latin by the Dean of St. Paul's, and published with a very moderate and sensible preface, written by Nicholas Wilson.

With this ostentatious pageant of orthodoxy, Wolsey staved off more severe measures for the present, in the hope that they could be avoided altogether. Burning *books* was not a very serious matter, and he did not object to make the most of any advantage that might be gained by conceding so much to the King's party. But burning *men* was of much more importance, and although Longland suggested pursuing the heretics "*ad ignem*," Wolsey preferred dealing with them in his own way, marking their errors but sparing their persons. He adopted a similar humane policy when he was forced to deal with such conceited and self-opiniated men individually. Bilney and Barnes were both brought before him, and examined by him personally, and both were suffered to go free during his life-time, notwithstanding the reckless and abusive tone which Barnes, at least, adopted towards him.[7]

Wolsey protected offenders

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[7] Foxe gives a not unamusing account of an examination to which Barnes was subjected before the Cardinal, who was, it must be remembered, the reformer of the order of Augustines, of whose house in Cambridge this fanatic monk was prior. "What, Master Doctor," said the Cardinal, "had you not a sufficient scope in the Scriptures to teach the people, but that my golden shoes, my pole-axes, my pillars, my golden cushions, my crosses, did so offend you that you must make us 'ridiculum caput' amongst the people? We were jollily that day laughed to scorn. Verily, it was a sermon more fit to be preached on a stage than in a pulpit: for at the last you said I did wear a pair of red gloves ('I should say bloody gloves,' quoth you) that I should not be cold in the midst of my ceremonies." Barnes alleged that all this was according to the Scriptures, and that he would stand by what he had said; on which the Cardinal told him he would ask him one question, "Whether do you think it more necessary that I should have all this royalty, because I represent the King's majesty's person in all the high courts of this realm . . . or to be as simple as you would have us, to sell all these aforesaid things, and to give it to the poor, who shortly will cast it against the walls, and to pull away this majesty of a princely dignity which is a terror to all the wicked?" Barnes' reply shows the stupid unpracticableness of such fanatics: "I think it necessary to be sold and given to the poor. For this is not comely for your calling, nor is the King's majesty maintained by your pomp and

But both these, and many others, were sent to the stake afterwards, when his forbearance and merciful policy were superseded by the iron hand of the King himself, whose savagery was restrained neither by Cromwell nor Cranmer. Wolsey caused them to carry a faggot to the fire, or made them go about the world wearing one embroidered on the coat sleeve: Henry placed them in the midst of actual faggots, which he kindled without scruple. Indeed, one important clause of the indictment against Wolsey was, that he had been "the impeacher and disturber of due and direct correction of heresies, being highly to the danger and peril of the whole body, and good Christian people of this realm."[8]

who were afterwards again taken and executed

Meanwhile Wolsey endeavoured to use the authority and influence given him by his office as legate, for the purpose of effecting a reformation among the clergy and laity. The Convocation of Canterbury was summoned to meet on April 20, 1523, in the usual manner, at St. Paul's. Wolsey, as Archbishop of York, summoned the Northern Convocation to Westminster, and he endeavoured to do what has been so often wished for since by many, to unite the two Convocations in one synod, by ordering that of Canterbury to join his own on April 22. This, he thought, might be done without difficulty under existing circumstances, by calling on the members of Convocation to sit in a legatine synod, a course which would have preserved their identity as pro-

Wolsey attempts to hold a synod "*pro-Reformatione*"

A.D. 1523

by uniting the two Convocations

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pole-axes: but, by God, who saith 'Per Me reges regnant,' 'kings and their majesties reign and stand by Me.'" [Ibid., 417.]

[8] Strype remarks that all the chief Cambridge scholars who were selected for the Cardinal's college, were "cast into prison for suspicion of heresy; and divers through the hardship thereof died." Strype's Cranmer, i. 4. Ecc. Hist. Soc. ed.

CHAP II

A.D. 1523

vincial convocations, and have superadded the supreme authority of the Legate's office. The Convocation of Canterbury objected to this arrangement, asserting that they acted under the King's writ, and that this precluded them from acting as part of a legatine synod. Although, therefore, Wolsey had summoned the latter "Ad tractandum de Reformatione tum Laicorum, tum Ecclesiasticorum," the two separate Convocations could only, or did only, take into consideration the subsidies which they were required to pay to the Crown. The Cardinal then summoned another synod to meet on June 8, the Octave of the Ascension, ordering the Convocation of Canterbury to come, provided with requisite powers, but of this no record whatever remains.[1] A graphic letter of some member of the House of Commons, written to the Earl of Surrey, gives us a slight sketch of the complications that arose out of this experiment, but, unfortunately, it is dated on Ascension Day itself, and so a week before the Legatine Synod was to meet. "Also the convocation among the priests," says the writer, "the first day of their appearance, as soon as mass of the Holy Ghost at Paul's was done, my Lord Cardinal acited also them to appear before him in his Convocation at Westminster: which so did; and there was another mass of the Holy Ghost. And within six or seven days the priests proved that all that my Lord Cardinal's convocation should do, it should be void, because that their summons was to appear before my Lord of Canterbury. Which thing so espied, my Lord Cardinal hath addressed a new citation into every country, commanding the priests to appear

Is thwarted for a time

but afterwards succeeds

Contemporary account of the matter

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[1] Wilkins' Concil., iii. 700.

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before him eight days after the Ascension. . . . . I do tremble to remember the end of all these high and new enterprises. For oftentimes it hath been seen that to a new enterprise, there followeth a new manner and strange sequel. God of His mercy send His grace unto such fashion, that it may be for the best."[2]

Wolsey's le- [illegible]

Many others, no doubt, both among the clergy and the laity, trembled to think of the reforms which Wolsey wished to effect: and the experience of later ages teaches us that those who look on "trembling," can most effectively hinder the progress of those who are prepared to advance. Men before their age, such as Wolsey, are generally confident as to "the end" of their high and "new enterprises," but they find it difficult to carry them out in their completeness when standing almost alone in their courageous onslaught upon the established order of things: and stolid resistance to a really great reformer may end in the "new manner and strange sequel" of an uprooting revolution instead of a wholesome reformation. The destruction of official records has left us in the dark as to the actual transactions of Wolsey's legatine synods for the reformation of the Church, but the above letter affords us a slight glimpse of the difficulties which he had to encounter, difficulties too great to be surmounted by constitutional methods, and only to be mowed down by the supreme tyranny of the Tudor sceptre, wielded by the hands of the less scrupulous Cromwell and the King himself.

Is a candidate for the Papal chair

Wolsey had longing visions of the great work that might be effected if he could become pope: and it can scarcely be doubted that an English Pope,

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[2] Eccl. Mem., i. 77; and Brewer's Calend. St. Pap., iii. 3024.

CHAP II A.D. 1527

trained as Wolsey had been to English modes of thought and habits of government, might, at any time during the last 400 years, have changed the face of Christendom. But England has ever been carefully excluded from the papal throne, and even Wolsey could not command quite influence enough to ensure his election, though he was a candidate on two occasions, and was supported by the Emperor, the French king, and Henry VIII.[3] Towards the close of his career, in 1527, he occupied for a short time the post of vicar-general to the Pope, and was empowered to exercise the papal authority to its full extent in England, while Clement VII. was imprisoned by Charles V.[4] But the transactions connected with the divorce show that this authority was more verbal than real, and perhaps the only important result of the appointment was that referred to by Lord Herbert:[5] it showed the King that it was possible to carry on the ecclesiastical government of England without the intervention of the Pope.

Becomes Vicar-General to the Pope

A far more important movement was initiated at this time, which would have had a vast influence upon the course of the Reformation had it ever been carried out. Wolsey himself, in a letter to the King, written in 1527, had glanced at the possibility of a separation of the Churches of England and France from the Pope, suggesting that a continuance of Roman policy would end in this, that "the Churches of England and France, to his perpetual rebuke and ignominy, should decline from the obedience of the Pope."[6] The two Kings, Henry and Francis, had also agreed to a convocation of all the Cardinals then at liberty to meet Wolsey in France and consult about the condition of the Church, and the imprisonment of Clement:[7] and the French King received him with so much honour that, in July, Francis actually sent him a commission to pardon and set at liberty all prisoners on his journey through France to Paris.[8] It was a noble feature in the Cardinal's character that he could then write to Henry, "for your sake, here, and in my receiving into this town, there hath been showed me the greatest honour that they could devise."[9] The French King was, in fact, treating Wolsey as his equal, and telling him that he should look upon him as his chief adviser, as he was that of Henry.[1]

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[3] In a letter dated March 14, 1519, Sir Thomas Boleyn writes from the Court of France that Francis "promised, on the word of a king, that if Wolsey aspired to be head of the Church, he would secure him on the first opportunity the voices of fourteen cardinals, the whole company of the Ursyns at Rome, and the help of one Mark Antony di Colonna, whom he calls a valiant man, and of great reputation there." [Brewer's Calend. St. Pap., iii. 122.] Boleyn writes doubtingly as to Wolsey's acceptance of the offer, and there is not, indeed, on record, a single line of the Cardinal's to show that he would willingly have left England for Rome, or that he felt any regret at his non-election. He would rather "continue in the King's service," he said on one occasion, "than be ten popes," only he knew how much the King wished that he should be at the head of the Church. [Brewer's Calend. St. Pap., iii. 3372, 3377, 3609.] So singularly has this great man been misrepresented in popular histories.

[4] Eccl. Mem., i. 107.

[5] Life of Henry VIII., p. 209.

Holds a Council of Cardinals in France

The great and honoured statesman wished to make this council of Cardinals a final court of appeal in the matter of the divorce: and he also proposed to them that they should administer the affairs of the Church during the Pope's captivity. But they refused to co-operate with him, fearing with true Italian jealousy that the papal throne might be again transferred to Avignon.[2] Then Francis began to open

Is thwarted by jealousy of Italian cardinals

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[6] State Papers, i. 274.
[7] Ibid., 230.
[8] Rymer, xiv. 202.
[9] State Papers, i. 223.
[1] Ibid., 238.
[2] Ibid., 230, 270.

A union of the churches of France and England proposed

negotiations with Henry for separating the Churches of England and France altogether from the papal jurisdiction, and establishing them as a great western patriarchate under Wolsey.[3] The escape of the Pope probably put an end to the negotiation.

Wolsey's influence falling

And now the miserable complications arising out of the divorce question were fast bringing to an end Wolsey's power and prosperity, and swallowing up all other questions, even including that of Church Reform, for several years. His private influence with the King had begun to diminish in 1525, when misunderstandings had arisen respecting several matters of patronage. A similar misunderstanding occurred in 1528, but Anne Boleyn was soon afterwards, if not at that time, established as the King's mistress, and as soon as she found reason to suspect Wolsey was disinclined to her marriage with Henry, she speedily brought about his ruin. The last mark that Wolsey left on the Reformation was nevertheless a conspicuous one. He applied in the King's name for papal bulls authorizing the dissolution of a number of monasteries for the purpose of founding Episcopal sees, of endowing King's College, Cambridge (the lands left for which, Henry had appropriated for himself), and for adding to the College at Windsor.[4] A memorandum in the King's handwriting is still in existence, in which twenty-one new bishoprics are designated.[5] Of these, only six were ever erected. Comparing the original design for Christ Church with its minimized execution, it is reasonable to sup-

Proposes an increase of bishoprics A.D. 1528 pose that the twenty-one projected bishoprics also represent Wolsey's plan, the six established ones Henry's execution of it when in the hands of Cromwell and Cranmer.[6]

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[3] Ellis' Orig. Letters, III. ii. 98. There were semi-official overtures for the union of the French Church with the English in October 1546. See a letter from Dr. Wotton to Secretary Paget in State Papers, xi. 323.

[4] That is the Chapel Royal. Rymer, xiv. 270, 273.

[5] Eccl. Mem., ii. 406.

It might seem that we should here part with the great Cardinal, since we have come to the end of his plans as they looked to the Reformation of the Church of England. But though this is not the place in which to write his life, the history of his work would hardly be complete without some account of its break-down.

Early causes of the King's displeasure against Wolsey

The first indication that Henry's confidence in his minister was diminishing, is given by a letter of the latter written on February 2, 1525, in which he deprecates the king's anger in respect to two transactions, about which he had expressed strong displeasure through Sir Thomas More. The first was associated with some municipal privileges which Wolsey had claimed for the monastery of St. Albans, and he justifies himself by precedent, on apparently very good and honourable grounds. The other was "some misorder supposed to be used by Dr. Allen and other my officers," in suppressing some poverty-struck monasteries for the purpose of annexation of their estates to "your intended college at Oxford."[7] It is probable that there was more reason than Wolsey knew of for the latter complaint; for two years later, Secretary Knight wrote to him (Aug. 19, 1527), "I have heard the King and noblemen speak things incredible of the acts of M. Allen and Cromwell, a great part whereof ye shall know not only by me, but by other of your faithful and loving servants."[8] If there was any more foundation for this, however, than the rising dissatisfaction of the King and the noblemen at the prospect of losing the monastic lands, it is certain that Wolsey sanctioned no unjust acts on the part of his agents. "For, sir," he wrote to the King, "Almighty God I take to my record, I have not meant, intended, or gone about, nor also have willed my officers to do anything concerning the said suppressions but under such form and manner as is and hath largely been to the full satisfaction, recompence, and joyous contentation of any person which hath had, or could pretend to have, right or interest in the same. . . . Verily, sir, I would be loath to be noted that I should intend such a virtuous foundation for the increase of your Highness' merit, profit of your subjects, the advancement of good learning, and for the weal of my poor soul, to be established or acquired *ex rapinis*."[9]

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[6] Two Bulls of Clement VII. for suppressing monasteries and erecting cathedrals were issued to Wolsey in the years 1528 and 1529. [Wilkins' Concil., iii. 715 ; Rymer, xiv. 273, 291.] In the latter year, Convocation had been consulted about projected reformations of the Church [Wilkins' Concil., iii. 717], and a provincial synod had been held for the same purpose, at which some important constitutions were passed. [Ibid, iii. 717-724.] The subject was continued in the Convocation of 1531, although thrown into the shade by the question of the Præmunire. [Ibid, iii. 725, 726.]

[7] So the Cardinal used to date his letters to the King from "your Manor of the More," and from "your Manor of Hampton Court." State Pap., i. 150, 163.

His desire to deal justly with the monasteries he dissolved

A similar misunderstanding arose in July 1528, about the appointment of an Abbess to Wilton. Wolsey intended to have given it to Dame Eleanor Cary, but Anne Boleyn wanted it for some one else, and it formed the subject of some of the love-letters which passed between her and the King at this time.[1]

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[8] State Pap., i. 261.

[9] Ibid., 155.

[1] Ibid., 314, 316. "Of all women," says one of Wolsey's correspondents on this subject, "the King would not have had Cary's eldest sister." The reason of this is not very evident, but it seems to be as-

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Henry wrote a reassuring letter to Wolsey, of which Heneage writes to the latter, "This morning the King's Highness, after the writing of his letter to your Grace, called Mr. Russell and me, to whom it pleased him to read the same; and said to us that he dealt with you as one entire friend and master should do to another, with many kind words of your Grace. Wherefore, in the honour of God, be of good comfort, and take not this matter to your heaviness, but of the kind intent of his Highness; and so he said he was sure ye would do, like a wise man."

Wolsey replied to this letter of the King, calling it a gracious, loving letter, whereby he perceives that no spark of displeasure remaineth in the King's noble heart.[2]

His munificence displeased Henry VIII.

But from this correspondence it is evident that Henry was displeased with Wolsey for expending so large a sum in the foundation of Christ Church.

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sociated with the marriage of Cary to Mary Boleyn, the King's former paramour. In 1520 the Lord-Lieutenant and Council of Ireland proposed to Wolsey that the Earl of Ormonde's son should marry Sir Thomas Boleyn's daughter, for the purpose of adjusting disputes respecting titles to land in Ireland. [State Pap., ii. 50.] Henry agreed to this proposal, but Wolsey's despatch sanctioning it is dated a year later, November 1521, long after Mary Boleyn's marriage to Cary. [State Pap., ii. 57.] Neither letter mentions the name of the daughter. While on this subject it may be noted that Sanders' story about Henry's successive profligate alliances with Lady Boleyn and both her daughters, Mary and Anne, is not without foundation, Cardinal Pole accusing him of seducing Mary and living in concubinage with her, for some time, and urging this as an aggravation of his sin in marrying her sister Anne. "Quid ea, quam tute tibi in repudiatæ locum consociasti, cujus-modi tandem est? An non soror ejus est, quam tu et violasti primum, et diu postea concubinæ loco apud te habuisti? Illa ipsa est." Reg. Pole ad Henry VIII. Brit. Regem pro Eccles. Unitatis defensione, Libri iv. fol. Rom. lib. iii., fol. lxxvii. 6. This quotation is given in Ellis' Orig. Letters, II. ii. 43, and so experienced and cautious an historian as Sir Henry Ellis believes the charge to be true beyond a doubt. There is other presumptive evidence so strong as to outweigh all contradictions yet offered.

[2] State Pap., i. 316, 317.

Probably he looked upon it as so much deducted from his own chance. Had the dissolved monasteries been dissolved into the royal treasury there would have been no complaint. This view is confirmed by the diminution of the project when it fell into the King's hands.

The King ceases to hold interviews with him

The alienation seems to have been complete on the part of the King when, in September 1529, Wolsey wrote desiring an audience, that he might communicate some matters of state, which he was unwilling to put in writing. The King replied by Gardiner, requiring Wolsey to state the heads of what he had to say, a proceeding so different from his usual habits as regarded the Cardinal, that we must conclude he wished to put an end to the confidential terms which had so long existed between them.[3] When Campeggio, the legate sent over to act with Wolsey in adjudicating on the divorce, had an audience of the King to take his leave, a week or two afterwards, Wolsey accompanied him, but was insulted by the careful omission of any preparation for his stay near the King. This was the last time he and Henry ever met, for when the King showed some signs of wishing for another interview with his faithful old minister, the new mistress who had got possession of him hurried him away by her persuasions so as to make it impossible.

and supersedes him as chancellor

Wolsey opened the Michaelmas term as Lord

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[3] State Papers, i. 344. This may possibly have been a daring act of Gardiner, but it is scarcely probable that he would have ventured so far, even had he wished to shut Wolsey out from the King's presence. On September 23, Wolsey had been admitted to an audience at Greenwich, and Thomas Alward writes to Cromwell that he never saw the King behave more kindly to Wolsey, and that, "whatever they bare in their hearts," Suffolk, Rochford, Tuke, and Master Stevens (Gardiner) were as humble towards him as ever. Ellis, I. i. 309.

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Chancellor, but on the following day the Dukes of Norfolk and Suffolk came to him with a verbal message from the King, requiring him to give up the great seal. This was a most unconstitutional proceeding, as the great seal is always delivered to the chancellor by the sovereign in person, and received back in the same manner. Wolsey therefore refused to give up its custody without some further authority. This was given under letters patent (though how they could be confirmed without the great seal itself it is difficult to see), and on the following day Wolsey ceased to be chancellor and prime minister, remaining simply Archbishop of York so far as regarded his constitutional position. He was ordered to retire to Esher, the King's officers taking such complete possession of all his goods that when there he found the greatest difficulty in securing even food for himself and his attendants; and was deprived of such simple luxuries as household linen and plate. Some months later, about February, the King sent him some such necessaries, and permitted him to remove to the house built by Dean Colet at Sheen, near Richmond, where Wolsey spent most of his time in religious conversation with one of the old brethren of the charterhouse there, a gallery communicating between his residence and the monastery. In Passion Week he started for the north, spending Palm Sunday, Holy Week, and Easter at Peterborough; and nearly all the rest of his days he spent at Cawood, near York, which was then the Archiepiscopal residence. Here he won universal respect, his true character being all the more conspicuous now that he was freed from cares of state. A contemporary writer on the Puritan side, quoted by

Wolsey's retirement to Esher

and afterwards to York

Burnet, speaks of him in high terms of commendation, within four or five years of his death :—

His exemplary life as a bishop

> "None was better beloved than he, after he had been there a while. He gave bishops a good example, how they might win men's hearts. There was few holy-days but he would ride five or six miles from his house; now to this parish church, now to that; and there cause one of his doctors to make a sermon unto the people: he sate among them, and said mass before all the parish. He saw why churches were made, and began to restore them to their right and proper use. If our bishops had done so, we should have seen, that preaching the gospel is not the cause of sedition; but rather lack of preaching it. He brought his dinner with him, and bade divers of the parish to it. He inquired if there was any debate or grudge between any of them; if there were, after dinner he sent for the parties to the church, and made them all one."

But this happy life of retirement was of very short duration. Before November he was arrested for high-treason by the Earl of Northumberland (the Lord Percy to whom Anne Boleyn had been attached) and Sir Walter Welsh (a cousin of Elizabeth Talbois, Anne Boleyn's predecessor), who seem to have been chosen for some purpose of special indignity. He died at Leicester Abbey, heart-broken at the fate of his colleges and the King's ingratitude, on November 29, 1530, when, even after so eventful a life, he was not quite sixty years of age.

His death

So passed away the greatest statesman that England had as yet ever seen, and the real leader of the Reformation. It is not necessary to say anything here of his personal character, as no attempt has been made to review his history, except so far as it is part of that of the Church and country at the period. But it may be said in passing that he has been grossly and malevolently misrepresented, and that few English statesmen have really been so worthy the respect and gratitude of posterity.[4]

Wolsey's ambition no crime

Whether or not Wolsey was moved to take the course he did by ambition is a question of very little consequence. Ambition leaves an odious mark upon history only when it has been accompanied by wrong and bloodshed; but not a single public act of this great man can be proved to have been unjust, while the gentleness and humanity of his government is conspicuous almost beyond belief when a sifting contrast comes to be drawn between it and that of his contemporaries or successors. He sought power with great ends in view, and his ambition was the honourable ambition of a patriotic statesman. As regards the Church, he knew perfectly well that all the power and authority he could accumulate would not be too much (in the end it proved too little) to effect the reformations which he proposed. It would have been utterly useless to attempt the task without it, when Pope, King, many of the clergy, most of the nobility, and multitudes of the laity, would have opposed him. The event showed how matters stood. Few cared for reformation; many cared for destruction. Wolsey saw in what imminent peril the revenues of the Church were from the exhaustive squandering and grasping covetousness of the Court. The clergy declared, through Archbishop Warham, that no king of England had ever extorted such heavy taxes from them, and it was only by a somewhat subtle policy that Wolsey and Warham could stave off a fatal resistance to his further demands. But Wolsey hoped to save the revenues of the Church by administering them more wisely than they had been managed hitherto; hence his transference to colleges of monastic property that was lying comparatively useless, and his projected transformation of the larger town monasteries into bishoprics. No sooner, however, was it seen that it was possible to dissolve monasteries and appropriate their revenues to other uses, than the covetousness of the King and his courtiers sought to make a profit out of the discovery, and Wolsey must be ruined as the first step in the iniquitous course of spoliation. "These noble lords imagine that the Cardinal once dead or ruined," says the French ambassador of the day, "they will incontinently plunder the Church, and strip it of all its wealth," and this was the common talk of London which he was writing down.[5] Wolsey strove to be-

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[4] Among such misrepresentations it will be as well to refer in a note to the charge of immorality brought against him. As to his son and daughter, there can be little doubt that he (like Cardinal Campeggio, whose son was knighted by Henry VIII.) had been married, perhaps secretly, as Archbishop Cranmer was. A supposed attack of sweating sickness referred to in the indictment against him, as placing the King in danger of infection, is vilely misinterpreted by Bishop Burnet. It occurred when every one who could leave London had done so, on account of the same epidemic of which Dean Colet died. Wolsey refused to leave even at the entreaty of the King, and although several times prostrated by the sickness. At this time Pace writes from Wallingford in language that fully explains that of the indictment: "They do die in theseparts in every place, not only of the small pokkes and measels, but also of the great sickness." Brewer's Calend. St. Pap., ii. 4320. Further proofs might be given as to what was meant and what was not meant, but they are unfit for these pages. It may also be added that the famous saying put into the mouth of Wolsey by Cavendish [Wordsw. Ecc. Biog., i. 542] and Shakespeare [Henry VIII., Act III., Scene 2], "Had I but served my God," etc., is traceable to an earlier date than that of Wolsey. "If," said De Berghes to Lady Margaret, "I and Renner had served God as we have served the King, we might have hoped for a good place in Paradise." [Brewer's St. Pap., III. xi.] Very similar words were also spoken by the Duke of Buckingham at the time of his condemnation in 1521, "An he had not offended no more unto God than he had done to the Crown, he should die as true man as ever was in the world." [Ibid., 1356.]

His concentration of power and authority necessary for his work

But proved mischievous as an example

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[5] Le Grand's Histoire du Divorce, iii. 374.

CHAP. VI.

Contrast between Wolsey and Henry VIII.

come quasi-pope of England that he might reform the clergy, turn some useless monasteries into useful bishoprics, colleges, and schools, revive learning, and make the Church more efficient and more suited for its work in the coming order of things. Henry VIII. made himself quasi-pope of England that he might lay his grasping hand upon the property of the Church, and have his own will—no matter whither it tended—in the control of all its concerns.

But, looking from the highest ground, and remembering that there is a Divine Providence to assist and to restrain the actions of men, we cannot fail to ask the question, Why, if Wolsey had such excellent objects in view, why was it that he failed? It has been so, often, before and since. The better man fails in doing the good he seeks to do in the better way: the worse man steps in and does it to a partial extent in a worse way. There are secret springs concealing the machinery of events which the historian cannot always touch; and that machinery must often still lie hidden. But Wolsey's failure—so far as it was a failure—is to be partly explained by the fact that he tried to work out his good ends by means of an external authority which essentially invaded the rights of the Church, instead of by the inherent authority which the Church of England and every other national Church possesses for reforming itself. There is some reason to believe—as will be shown in a later chapter—that he saw the better way but chose the worse. He was only Archbishop of York, and the northern Archbishops have little constitutional power. It was simply impossible, so it must have seemed, to attempt a reformation of the Church when possessed of so

Wolsey failed through using Papal authority

He might have succeeded had he been more patient

little general authority: and so he sought to be, and became legate *a latere,* the Pope's Vicar in England, wielding, as others had done before him, an authority which he had no just right to wield, because, on no principle of ecclesiastical justice had the Pope any right to confer it. Had Wolsey known better how to wait, he might have carried out his plans to their full extent by means of an authority which had just claims upon the obedience of the Church and people. He chose instead to attempt the attainment of the same good and noble ends by means of an authority delegated to him by the Pope; consequently his plans broke down, a great opportunity was lost, and the Reformation never became in the hands of others what it had given fair promise of becoming in those of the most honest, the noblest, and the wisest of our Church reformers.

CHAPTER III

THE DIVORCE OF HENRY VIII. FROM CATHERINE OF ARRAGON

[A.D. 1527—1533]

CHAP III

THE great and engrossing subject of discussion between the Courts of England and Rome, and indeed, throughout every rank of English society also, from the year 1528 to the year 1533, was the divorce of Henry VIII. from Catherine of Arragon, the first of his six wives. It was in connection with this unhappy scandal that steps were taken by the King on the one hand, and the Pope on the other, which led to the final repudiation of the papal jurisdiction by the Church and State of England. The narrative of all the events connected with this divorce must ever, therefore, form an important chapter of reformation history, and must necessarily be set forth at considerable length.

The marriage of Henry and Catherine had been originally arranged purely as a matter of political expediency; and, apparently, without any regard whatever to the wishes of either of the persons prinpally concerned. Even the measure of happiness which attended it for the first few years was more than could be expected from the circumstances of the case; and both the King and the Queen must be considered as victims of a statecraft which seems to have had no better motive than avarice to plead in its favour on one hand and convenience on the other.

Catherine's marriage to Prince Arthur

Catherine of Arragon was the fourth daughter of Ferdinand and Isabella of Spain, or, according to their proper style, of Castile and Arragon. She was born in 1483, and at the age of eighteen was sent into England to become the wife of Arthur, Prince of Wales, the eldest son of Henry VII., who was three years her junior, having been born on September 20, 1486. This youth of fifteen was married to the Spanish Princess at St. Paul's Cathedral, on November 14, 1501, and he died in a little more than three months afterwards, on April 2, 1502, being even then seven months under sixteen years of age. In later years Catherine asserted that this was a marriage only in form, for that she and Arthur had never become husband and wife in the full sense of the word.[1] This she declared in the most solemn terms, and in the presence of the King, whose silence appeared to give assent to her declaration. On the other hand, there were those who deposed that Prince Arthur had given reason to believe the contrary, and Henry himself writes, in his "Glass of Truth," that he was not called Prince for "a month and more" after his brother's death, because Catherine had an expectation that there might be a posthumous son born to her deceased boy-husband.[2]

Her statement as to its consummation

The amount of Catherine's dower (about £40,000 of the money of that day), and the advantages attending a family alliance with Ferdinand and Isabella, induced Henry VII. to look forward to a marriage between his widowed daughter-in-law and his younger son Henry, who was under eleven years of age at the time of Arthur's death, and was, therefore, eight years younger than Catherine. Such a marriage being within the forbidden degrees, there was much discussion as to its lawfulness or expediency under any circumstances whatever; and Archbishop Warham boldly set himself at the head of those who protested altogether against its taking place. It was decided in the end that the Pope could grant a dispensation even for the marriage of a brother and sister-in-law. This dispensation was applied for, and given by Julius II., in the form of a bull, dated December 26, 1503. There can be very little doubt that the Pope acted thus for political reasons, hoping to strengthen his hands for the wars in which he had resolved to engage; and that he legalised a marriage which would have been disapproved of by almost all the best divines of the period. Submission to this highest form of a Pope's judicial utterances being then, however, the rule of the Church, Warham and the opposing party which he headed, gave way. The betrothal was solemnized at once, but Henry being only twelve years of age, the marriage itself was not celebrated.

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[1] West, Bishop of Ely, stated before the Legates, in 1529, that the Queen had often *sub testimonio conscientiæ suæ*, said this to him.

[2] This book was probably written in 1527, and shown to the Pope in March 1528. The Queen's distinct asseveration to the contrary of the statement contained in it was publicly made in 1529.

Her marriage with Henry opposed by Warham

but permitted by Pope Julius II.

Yet although he had gone so far, Henry VII. seems afterwards to have changed his mind about the marriage: either by Warham's persuasions,[3] or for a reason which he had why he should secure a mode of withdrawing from the contract of it should

Change of mind of Henry VII.

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[3] Herbert's Hen. VIII., p. 271.

it ultimately seem desirable to do so. For on June 27, 1505—the eve of his fourteenth birth-day—the young Prince signed a long protestation before Fox, Bishop of Winchester, that he did not intend to confirm the contract made in his minority.[4] This formal protest indicates nothing as to the feelings of Henry himself, and being attested by Bishop Ruthal (among others), the Secretary of State, it is plainly a document prepared in obedience to the wish of the King, and not at the desire of a lad only fourteen years of age.[5] As soon as he was likely to have any feelings on the subject, Henry showed what was the nature of them by marrying his betrothed.

Who causes a formal protest against it to be signed by his son

His father dying, Henry VIII. came to the throne on April 21, 1509. There is no record of any further discussion respecting his marriage, and it was celebrated as soon as it possibly could be (within six weeks of the old king's death), on June 3, 1509. Henry was at this time eighteen, and Catherine twenty-six years of age. This discrepancy of age was most unfortunate, as it could not fail to lead to future unhappiness. But from the records remaining in Henry's own handwriting, it is evident that he loved Catherine very heartily in the early days of their wedded life, and that no trace of reluctance or aversion appeared at that time. Three weeks after the wedding he wrote to his father-in-law, saying that the love he bore to Catherine was so

The marriage with Henry at first happy

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[4] . . . . Ea propter, Ego Henricus Walliæ Princeps prædictus, jam proximus pubertati existens, et annos pubertatis attingens, Protestor, quod non intendo eundem prætensum contractum per quæcunque per me dicta seu dicenda, facta aut facienda, in aliquo approbare, validare, seu ratum habere. . . . . Protestorq. quod per nullum dictum, factum, actum. . . . . volo aut intendo in præfatum contractum matrimonialem, aut in dictam Dominam Catherinam tanquam Sponsam aut Uxorem meam consentire."

[5] So Bishop Fox affirmed in 1527. Herbert's Hen. VIII., p. 274.

great, that if he were free he should still choose her for his wife in preference to all others." And on the next day he writes in a similar strain to Margaret of Savoy, singularly enough nullifying the words of the protest just quoted, by adding, that as it was his father's wish he should marry Catherine, so he had no desire to disobey now that he was of full age.[7]

Reasons why it was likely to be so

And although there was so great a difference in the ages of Henry and Catherine, the latter seems to have been very attractive at this time, and well calculated to win the affection of her young husband, brought up as he had been. She had good talents, and was highly educated, so that Erasmus wrote of her in 1518, that she was a miracle of learning. Perhaps her beauty was not of the most dazzling kind, yet a correspondent of Margaret of Savoy writes that she had "a very beautiful complexion,"[8] which by no means indicates plainness; and then, testifies the same writer, "she has a lively and gracious disposition," a buoyancy of spirits which doubtless forsook her in the troublous days of her later life. Her love for Henry was most tender from first to last. "With his health and life," she writes to Wolsey in 1513, "nothing can come amiss to me: without them, I see no manner of good thing shall fall afterwards." During the King's absence from her, she begs Wolsey to write to her often about him, and her own letters to Henry are gentle, affectionate, and spirited. In short, her affection for him seems to have been very deeply rooted:

> "Her, that loves him with that excellence
> That angels love good men with."[9]

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[6] Brewer's Calend. St. Pap., i. 338.

[7] Ibid., 224. In this letter Henry states that the marriage took place on June 11, and the coronation on St. John Baptist's Day.

[8] Brewer's Calend. St. Pap., i. 5203.

[9] Henry VIII., Act ii. Scene 2.

CHAP III

Nor could any ill treatment alienate her heart from him, for her touching words as she was dying were, "Lastly, I make this vow, that mine eyes desire you above all things."[1]

When the shadows first began to fall on this sunny life, it is not hard to see. They had not long been married before the natural results of a discrepancy of age on the wrong side began to show themselves. In the spring of 1510, when an heir to the throne was expected, there happened instead the first of those disappointments which so evidently preyed on Henry's mind,

Catherine's first child

> "Her male issue
> Or died where they were made, or shortly after
> This world had air'd them."[2]

Her second

A few months later the hopes of an heir were revived by the birth of a son, on January 1, 1511. Great rejoicings accompanied his birth, a state household was appointed for him, and in documents appointing the officers belonging to it, he is already called Henry, Prince of Wales. But these preparations for the future gathered round a poor sickly infant, who did not live to be two months old. He died on February 22, 1511, and the last touching record of him is a warrant assigning an annuity of £20, from Easter of that year, to Elizabeth Pointes, "late nurse unto our dearest son the Prince."

Her third and fourth

In November 1513, another prince was born, who died immediately.[3] In December 1514, there was a premature birth of another son, still-born, to the great grief, the Venetian ambassador writes, of the whole nation. If a letter of Peter Martyr (dated December 31, 1514) is to be believed, this occurred in consequence of ill-treatment which Catherine had received from Henry on the occasion of a quarrel between himself and his father-in-law, Ferdinand.[4] Stowe and Hollinshed both refer to the birth of this child, but no official documents remain respecting it, nor any further record: neither have we anything but Peter Martyr's rumour for the story of the ill-treatment, which one may wish to disbelieve, but which seems only too likely to be true.

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[1] Herbert's Hen. VIII., p. 432.

[2] Hen. VIII., Act ii. Scene 4.

[3] Lingard, iv. 290.

Birth of Princess Mary

In 1515 it is supposed that a similar event again disappointed the King and the nation:[5] but on February 18, 1516, a daughter was born, who lived to grow up. She was christened by the name of Mary two days afterwards, Cardinal Wolsey being her godfather.[6]

The Queen's seventh child

Another daughter was born on November 10, 1518, after long and anxious public expectation in the hope of a prince. How the event was looked forward to in this case is shown by the State Papers, and probably they only indicate the feeling on former occasions. "It is secretly said," wrote Pace to Wolsey, on April 12, 1518, "that the Queen is with child."[7] The Venetian ambassador wrote to the Doge, on June 6, 1518, that a report has prevailed for some time of the Queen's pregnancy, "an event most earnestly desired by the whole kingdom," and the report has been confirmed to him by a trustworthy person.[8] The King himself wrote privately to Wolsey, in July, "I trust the Queen, my wife, be with child."[9] A few days afterwards a *Te Deum* was ordered to be sung in St. Paul's to celebrate the auspicious event,[1] and so much interest was felt in the matter, even abroad, that his ambassador at Rome wrote to Henry, on August 27, that the Pope had inquired if such was the case, and he had replied in the affirmative.[2] The Venetian ambassador was always forward with intelligence, and in his despatch of October 25, he writes that the Queen is near her delivery, which is most anxiously looked for, and prays that she may have a son:[3] but on November 10, he communicates to his Government the fact that "This night the Queen was delivered of a daughter, to the vexation of as many as know it." Why there was so much public anxiety and so great disappointment, is shown by his succeeding words, in which he says, "The entire nation looked for a prince," and if the event had occurred before the betrothal of the Princess Mary to the Dauphin of France, the latter would probably have been stopped.[4] A prince would have secured an English succession, but the betrothal of Mary to a French prince seemed to place the kingdom in danger of being handed over to its ancient enemy, "the sole fear of this kingdom being that it may pass into the power of the French King through this marriage.[5]

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[4] Brewer's Calend. St. Pap., i. 5718.

[5] Giustiniani's Despatches, i. 81.

[6] He was also godfather to Frances, daughter of Suffolk and the King's sister, and mother of Lady Jane Grey.

[7] Brewer's Calend. St. Pap., Henry VIII., i. 4074.

[8] Ibid., 4213. [9] Ibid., i. 1.

A prince anxiously looked for

The king forsakes her

Thus ended all hopes of a son of Catherine succeeding to the Crown of England, and there can be no doubt that the disappointment was a bitter one both to the King and the nation. Henceforth she was only the state partner of his throne, for he ceased to consort with her, and carried his affections to another quarter.

To what extent there really had been any previous

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[1] Brewer's Calend. St. Pap., i. 2.

[2] Ibid., 4398.

[3] Ibid., 4529.

[4] It had taken place on October 5th, five weeks before.

[5] Brewer's Calend. St. Pap., 4568.

His connection with Lady Elizabeth Talbois

A.D. 1519

Henry Fitz-Roy

alienation from Catherine on the part of her husband, we have no evidence, although he seems to have acquired libertine habits some years before. Balthasar, the French ambassador, writing home in 1515, "He is a youngling, cares for nothing but girls and hunting, and wastes his father's patrimony."[6] But we have his own words in proof that about this time he forsook the Queen altogether, putting upon her the greatest indignity that a husband could.[7] The settled character of his alienation is shown by the intimacy which now arose between the King and Elizabeth, the widow of Sir Gilbert Talbois. This lady belonged to a very anciently ennobled family; being the daughter of Sir John Blunt, and Catherine, third daughter of Sir Thomas Peshall; the former of whom was closely related to the great Lord Mountjoy, and like him, a direct descendant (by a different wife) of Sir Walter Blunt of Rock and Sodington [1272-1315], in the reigns of Edward I. and II. Her dishonourable connection with the King resulted, sometime in the year 1519, in the birth of a son, who was christened Henry Fitz-Roy, and created Earl of Nottingham, and Duke of Richmond and Somerset on June 17, 1526. Lord Herbert says that this youth "was equally like to both parents," his mother "being thought, for her rare ornaments of nature and education, to be the beauty and mistress piece of the time."[8] He became the bosom friend of the brave and polished Earl of Surrey, who lamented his

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[6] Brewer's Calend. St. Pap., 1105.

[7] "The King declared to Simon Grinœus" (as the latter writes to Bucer, September 10, 1531) "that for seven years he had abstained from the Queen." It is observable that in the year 1524 Wolsey published a bull (in his capacity as Legate) against marriages within the prohibited degrees. This *may* have suggested to the King the way of escape from a bondage which he already hated. Burnet's Ref. i. 78.

[8] Herbert's Henry VIII., p. 165.

Intended to be his father's successor

death as if he had lost a brother. It is alleged by several writers of the period that the King intended to appoint this son heir to the crown at a time when he had no legitimate male issue: and all accounts of him speak so highly of his capacities and disposition, as to indicate that, but for his illegitimacy, he would have been quite worthy of the position thus destined for him by his father.[9] No records show how long Elizabeth Tailbois (more commonly spoken of by her maiden name) retained her hold upon the King's affections: but it is singular to observe that she survived all the King's six wives, and after his death married Lord Clinton, who was subsequently created Earl of Lincoln by Queen Elizabeth.[1] And for however short a time her actual association with the King may have continued, one can see that the influence of a young, well-born, well-educated, clever, and beautiful woman such as she was, must have tended much to draw him away more entirely from the Queen.

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[9] This assertion is founded on a clause in the Act of Succession passed a few months before the young Duke's death. It enacted "That for lack of lawful heirs of the King's body to be procreated or begotten, as is afore limited by this Act, it shall and may be lawful for him to confer the same on any such person or persons, in possession and remainder, as should please his Highness, and according to such estate, and after such manner, form, fashion, order, and condition as should be expressed, declared, named, and limited, in his said letters patent or by his last will: the Crown to be enjoyed by such person or persons so to be nominated & appointed in as large & ample a manner as if such person or persons had been his Highness' lawful heirs to the imperial Crown of this realm." [28 Hen. VIII. c. 7.]

The King conferred the highest honours he could on Henry Fitz-Roy, short of making him Prince of Wales, and this latter title seems to have been forestalled by the creation of Mary Princess of Wales in 1518. [Burnet, i. 76.] He was made Earl Marshal, Knight of the Garter, and Lord High Admiral. He was also married, by the King's own management, to Mary, daughter of the Duke of Norfolk, the highest match to be found among the subjects of the Crown. This marriage took place in 1533, and the Duke died, at the age of seventeen, on July 22, 1536. His widow was recognised as Duchess of Richmond, and had a dower from the Crown for her second marriage. Jenkyns' Cranmer, i. 84, 226; Ellis' Orig. Letters, II. cxx.; State Papers, i. 577.

[1] Queen Elizabeth was born about the time of the Duke of Richmond's marriage, Cranmer mentioning both events together in the letter referred to in the previous notes. The Duke being in such high favour with his father, and being all but made heir to the Crown, it is scarcely likely but that his mother was also; and it is possible that her name was given to the infant princess just born; though, of course, it must be remembered that Elizabeth was the name of the

Other causes of the King's alienation from Catherine

For the time had now arrived when the discrepancy of age between Henry and Catherine was beginning to grow very conspicuous. In the year 1518 the one was thirty-five and the other only twenty-seven years of age. Under the best of circumstances such a difference tells greatly; but in this case Catherine was older even than her years, for her health was much broken, and she had been seven times a mother under circumstances of peculiar trial. Her beauty had faded away, her sprightly buoyancy had gone, and she had become, as her daughter Mary became afterwards, somewhat austere in her religious practices. Had her husband been eight years older than herself, with the cares of state upon him, all this would have been of little consequence, as the fervour of youthful passion would have diminished, and the Queen was still a person to be loved and esteemed in a very high degree. But Henry was now at the full tide of life as regarded his passions, and under their influence as a nature such as his was likely to be. The Venetian ambassador describes the kind of man he was a few years before, writing home to his court in 1515 a glowing description of the King's general *physique* :—

Contemporary description of Henry VIII.'s person

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child's two grandmothers. That there was some family connection between the Boleyns and the Blunts seems indicated by the fact that Stow mentions an Elizabeth Boleyn, daughter of Thomas Blunt, Esqre, as being buried in the Apostles' chapel of the Grey Friars (Christ's Hospital), the old Blunt burial-place.

"His Majesty is the handsomest potentate I ever set eyes on: above the usual height, with an extremely fine calf to his leg; his complexion very fair and bright, with auburn hair combed straight and short in the French fashion, and a round face, so very beautiful, that it would become a pretty woman, his throat being rather long and thick."[2]

Four years later a similar account is given, which goes more into detail, and speaks of his habits as well as his person, as they appeared to an observant foreigner:—

"His Majesty is twenty-nine years old, and extremely handsome. Nature could not have done more for him. He is much handsomer than any other sovereign in Christendom; a great deal handsomer than the King of France; very fair, and his whole frame admirably proportioned. On hearing that Francis I. wore a beard, he allowed his own to grow, and as it is reddish, he has now got a beard that looks like gold. He is very accomplished; a good musician, composes well; is a most capital horseman; a fine jouster; speaks good French, Latin, and Spanish; is very religious; hears three masses daily when he hunts, and sometimes five on other days. He hears the office every day in the Queen's chamber, that is to say, vesper and compline. He is very fond of hunting, and never takes his diversion without tiring eight or ten horses, which he causes to be stationed beforehand along the line of country he means to take; and when one is tired he mounts another, and before he gets home they are all exhausted. He is extremely fond of tennis, at which game it is the prettiest thing in the world to see him play, his fair skin glowing through a shirt of the finest texture."[3]

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[2] Giustiniani's Despatches, i. 86.

[3] Ibid., ii. 312. From the same source we have a vivid description of the King's dress at a "solemn reception," which will help the reader to fill up the picture of Henry's appearance at about the age of thirty:—"His bodyguard consisted of 300 halberdiers with silver breastplates, who 'were all as big as giants.' 'He wore a cap of crimson velvet in the French fashion, and the brim was looped up all round with lacets and gold enamelled tags. His doublet was in the Swiss fashion, striped alternately with white and crimson satin; and his hose were scarlet,

A man of this kind would find little satisfaction in the society of an invalid wife, whose charms had been ripened early under a southern sky, and had faded early under the trial of adverse circumstances and a northern climate.[4] It is not surprising, therefore, to find the shades of her great trouble already beginning to come over her, to deepen more and more until they were lost in the deeper shadow of death itself.

When, in what manner, and by whose suggestion, the idea of a divorce from Catherine first presented itself to the King has been the subject of much controversy; but no writer has brought forward any evidence to show that it was entertained earlier than the beginning of 1527.

Revived doubts of the legality of Catherine's marriage.

The coming event casts forward its shadow at first in the shape of revived doubts respecting the legality of Henry's marriage with his brother's widow. That such doubts had at one time been strongly felt is evident. The Archbishop of Canterbury had only given up his opposition in deference to the dispensation issued by the Pope: and in his evidence

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and all slashed from the knee upwards. Very close round his neck he had a gold collar, from which there hung a rough cut diamond, the size of the largest walnut I ever saw, and to this was suspended a most beautiful and very large round pearl. His mantle was of purple velvet lined with white satin, the sleeves open, with a train more than four Venetian yards long. This mantle was girt in front like a gown, with a thick cord, from which there hung large golden acorns like those suspended from a cardinal's hat; over this mantle was a very handsome gold collar, with a pendant St. George entirely of diamonds. Beneath the mantle he wore a pouch of cloth of gold, which covered a dagger, and his fingers were one mass of jewelled rings."

[4] Among the instructions sent to Cassilis for his guidance in communicating with the Pope, there is the following, dated January 1528:—"In hac deinde re secreta insunt nonnulla, secreto Sanctissimo Domino nostro exponenda, et non credenda literis, quas ob causas, morbosque nonnullos, quibus absque remedio Regina laborat, et ob animi etiam conceptum scrupulum, Regia Majestas nec potest, nec vult ullo unquam posthac tempore, ea uti, vel ut Uxorem admittere, quodcunque evenerit."—Burnet, iv. 55, Pocock's Ed.

before the legates he speaks of popular discontent, "the murmurings of the people," which was only quieted by the same deference to what was thought a sufficient sanction and authority.[5] And although the protest of Henry himself indicates nothing so far as he himself was concerned, it shows that his politic father considered the legality of the proposed marriage extremely doubtful, even after it had received the Papal license.

Princess Mary's illegitimacy suggested

But after the marriage had taken place we hear nothing further of these doubts respecting its lawfulness for about eighteen years. At the end of the year 1526[6] negotiations were in progress with reference to a contemplated marriage between the Princess Mary and one of the two sons of the King of France.[7] The Bishop of Tarbês (afterwards Cardinal Grammont) was the envoy to whom these negotiations were entrusted; and he raised an objection against it that the Pope had exceeded his powers in granting a dispensation for the marriage of Henry to Catherine, for that such an union was forbidden by the law of God, not only by the law of the Church; and that, therefore, the marriage was not in fact valid, nor the Princess Mary a lawful daughter of the King.

Such diplomatic doubts rather suggested nullity of marriage than divorce; and the latter is said to have been proposed to the King originally by his confessor, Longland, Bishop of Lincoln, who did so at the bidding of Cardinal Wolsey. But this story, although it was adopted by Lord Herbert and

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[5] Herbert's Hen. VIII., 271.

[6] From December 24, 1526, to March 2, 1526-27.

[7] The Dauphin was first talked of, and then his younger brother. Mary had been espoused to the Emperor Charles V. when an infant, and ended by marrying his son.

Bishop Burnet, arose out of the prejudices which were entertained by so many against Wolsey in his later years, and has no other foundation. It was distinctly contradicted by the King, and by Bishop Longland:[8] the fact being that divorce was first mentioned to both Wolsey and Longland by the King himself, whose account of the matter is given by Cavendish as it was spoken in his hearing before the two legates:—

Divorce first mentioned by the King.

"'Sir,' said Wolsey, 'I most humbly require your Highness to declare before all this audience, whether I have been the chief and first mover of this matter unto your Majesty, or no; for I am greatly suspected of all men herein.' 'My Lord Cardinal,' quoth the King, 'I can well excuse you in this matter. Marry (quoth he), ye have been rather against me in the attempting hereof than a setter forth, or a mover of the same. The special cause that moved me unto this matter was, a certain scrupulosity that pricked my conscience, upon certain words spoken at a time by the Bishop of Bayon, the French ambassador, who had been hither sent upon the debating of a marriage to be concluded between the Princess, our daughter, the Lady Mary, and the Duke of Orleans, second son to the King of France. And upon the consultation and determination of the same, he desired respite to advertise the King his master thereof, whether our daughter Mary should be legitimate, in respect of this my marriage with this woman, being sometimes my brother's wife. Which words, once conceived in the secret bottom of my conscience, engendered such a scrupulous doubt, that my conscience was incontinently

Contemporary evidence on the subject

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[8] A Life of Sir Thomas More, written shortly after Longland's death, contains the following passage:—"I have heard Dr. Draycot, that was his [Longland's] chaplain and chancellor, say, that he once told the Bishop what rumour ran; and desired to know of him the very truth. Who answered, that in very deed he did not break the matter after that sort as is said; but the King brake the matter to him first; and never left urging him until he had won him to give his consent. Of which his doings, he did sore forethink himself, and repented afterward, &c." — MS. Coll. Eman. Cant., quoted in Burnet. Pocock's Ed., i. 77.

accumbred, vexed, and disquieted; whereby I thought myself to be in great danger of God's indignation; which appeared to me, as me seemed, the rather for that he sent us no issue male; and all such issues male, as my said wife had by me, died incontinent after they came into the world; so that I doubted the great displeasure of God in that behalf. Thus my conscience being tossed in the waves of scrupulous doubts, and partly in despair to have any other issue than I had already by this Lady now my wife, it behoved me further to consider the state of this realm, and the danger it stood in for lack of a Prince to succeed me. I thought it good, therefore, in release of the weighty burden of my weak conscience, and also the quiet state of this worthy realm, to attempt the law therein, whether I may lawfully take another wife more lawfull, without spot of carnal concupiscence, by whom God may send me more issue, in case this my first copulation was not good: and not for any displeasure or misliking of the Queen's person and age, with whom I could be as well contented to continue, if our marriage may stand with the laws of God, as with any woman alive.'"[9] . . . .

Contemporary opinion on the subject

As Henry had no object to serve by throwing a responsibility on Wolsey which the latter wished to disclaim, we may conclude that this evidence is clear as far as the Cardinal is concerned, and that the idea of a divorce from Catherine did not originate with him. As to its origination in conscientious scruples on the part of the King, the world has always been very incredulous on account of the circumstances connected with his second marriage. The general opinion of the time, and of subsequent ages also, was expressed by Shakespeare, and that at a time when it would have been extremely dangerous to express such an opinion if it had not represented that of society at large:[1]—

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[9] Wordsworth's Ecc. Biog., i. 426.

[1] But Queen Elizabeth always seems to have thought that the less said about her mother the better.

Suffolk. How is the King employed?
Chamberlain. I left him private.
Full of sad thoughts and troubles.
Norfolk. What's the cause?
Chamberlain. It seems the marriage with his brother's wife
Has crept too near his conscience.
Suffolk. No, his conscience
Has crept too near another lady.
Norfolk. 'Tis so.[2]

Probably some real scruples in the King's mind

Those who study the springs of human actions know well, however, that unmixed motives are extremely rare; and as Henry was one of those men of strong passions in whom the religious instinct coexists, to a certain extent, with habits of sensual indulgence, it would probably be unjust to suppose that these scruples of conscience were altogether feigned. Inclination, policy, and conscientious scruple, each had their influence on the King's mind in suggesting the expediency of a divorce from Catherine, and which of these mixed motives took precedence of the others is beyond the power of the historian to determine.

Anne Boleyn early on the scene

In the very earliest stages of this unhappy business, the "other lady" was, nevertheless, in correspondence with the King on the subject of marriage; and Cardinal Pole did not hesitate to tell the King (at a later date), as if it was a fact known to them both, that the divorce was first suggested by her, and that she found certain priests and doctors who conveyed her suggestions to him.[3]

At what date Anne Boleyn first took her place in

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[2] Hen. VIII., act ii. scene 2.

[3] "Illa ipsa sacerdotes suo graves theologos, quasi pignora promptæ voluntatis, misit, qui non modo tibi licere affirmarent uxorem dimittere, sed graviter etiam peccare dicerent, quod punctum ullum temporis eam retinere, ac nisi continuo repudiares, gravissimam Dei offensionem denunciarent. Hic primus totius fabulæ exorsus fuit." Poli. Epp., f. lxxvi.

CHAP III

the court of which she was afterwards to be Queen is not at all clearly made out. She had spent a good portion of her girlish days previous to the year 1522 (when she was sixteen years of age) at the court of France, as maid of honour to the French queen. In that year, her father, Sir Thomas Boleyn, returned to England, bringing his daughter with him, and at the end of the year her name occurs as attached to the royal wardrobe. It is altogether improbable that she spent any part of the next five years in France. Yet the first we hear of her at the court of Queen Catherine, beyond the fact of her becoming one of her maids of honour, is in a romantic story of her early attachment to the young Lord Percy, which is told by Cavendish, gentleman usher to Cardinal Wolsey, and which he narrates as one intimately acquainted (as he was from his office likely to be) with all the circumstances:[4]—

Her first experiences of a Court

Early engagement to Lord Percy

"Now was at that time"—he says, but leaving the date altogether uncertain—"the Lord Percy, son and heir of the Earl of Northumberland, attending upon my Lord Cardinal, and was his servant; and when it chanced the said Lord Cardinal at any time to repair unto the court, the Lord Percy would resort then for his pastime into Queen Katharine's chamber, and there would he fall in dalliance among the maids, being at the last more conversant with Mrs. Anne Bullen than any other, so that there grew such a secret love

[This Earl died in 1527]

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[4] The same defect as to date belongs to another interesting fact stated by Cavendish. "The long hid and secret love that was between the King and Mistress Anne Bullen brake now out, and the matter was by the King disclosed unto my Lord Cardinal, whose persuasion upon his knees long time before to the King to the contrary would not serve: the King was so affectioned that will bare place, and discretion was banished clean for the time." [Wordsworth's Ecc. Biog. i. 416.] There is a letter from Wolsey to the King respecting the divorce in the State Papers, i. 195. It is dated July 1, 1527, and in it Wolsey advises his master to "handle her both gently and doucely," as he says he had previously advised in a message by Sampson.

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between them, that at the length, they were insured together, intending to marry. The which thing when it came to the King's knowledge, he was therewith mightily offended. Wherefore he could no longer hide his secret affection, but he revealed his whole displeasure and secrets unto the Cardinal in that behalf; and willed him to infringe the assurance, made then between the said Lord Percy and Mrs. Anne Bullen. Insomuch as the Cardinal, after his return home from the court to his house in Westminster, being in his gallery, not forgetting the King's commandment, called then the said Lord Percy unto his presence, and before us his servants, then attending upon him, said unto him thus: 'I marvel not a little,' quoth he, 'of thy folly, that thou wouldest thus entangle and ensure thyself with a foolish girl yonder in the court, Anne Bullen. Doest thou not consider the estate that God hath called thee unto in this world? For after thy father's death, thou art most like to inherit and enjoy one of the noblest earldoms of this region. Therefore it had been most convenient for thee, to have sued for the consent of thy father in that case, and to have also made the King's Highness privy thereof, requiring therein his princely favour, submitting thy proceeding in all such matters unto his Highness, who would not only thankfully have accepted thy submission, but would, I am assured, have provided so for thy purpose therein, that he would have advanced thee much more nobly, and have matched thee according to thine estate and honour, whereby thou mightest have grown so by thy wise behaviour in the King's high estimation, that it should have been much thine advancement. But now see what ye have done, through your willfulness. You have not only offended your father, but also your loving Sovereign Lord, and matched yourself with one, such as neither the King nor your father will be agreeable to the match. And hereof I put thee out of doubt, that I will send for thy father, and at his coming he shall either break this unadvised bargain or else disinherit thee for ever. The King's Majesty himself will complain to thy father on thee, and require no less than I have said; whose Highness intending to have preferred Anne Bullen unto another person, wherein the King hath already travelled, and being almost at a point with the same person for her, although she knoweth not it, yet hath the King, most like a politic and prudent Prince conveyed the matter in such sort, that she, upon his Grace's motion, will be, I doubt not, right glad, and agreeable to the same.' 'Sir,' quoth the Lord Percy, all weeping, 'I know nothing of the King's pleasure herein, for the which I am very sorry. I consider I am of good years, and thought myself sufficient to provide me a convenient wife, whereas my fancy served me best, not doubting but that my lord my father would have been right well contented. And although she be but a simple maid, having but a knight to her father, yet she is descended of right noble blood and parentage. As for her mother, she is nigh of the Norfolk's blood; and as for her father he is descended of the Earl of Ormond, being one of the Earl's heirs general. Why should I then, Sir, be anything scrupulous to match with her, whose estate and descent is equal with mine, even when I shall be in most dignity? Therefore I most humbly require your Grace of your favour herein; and also to entreat the King's Majesty most humbly on my behalf, for his princely favour in this matter, the which I cannot forsake.' 'Lo, sirs,' quoth the Cardinal unto us, 'ye may see what wisdom is in this wilful boy's head. I thought when thou heardest me declare the King's pleasure and intendment herein, that thou wouldest have relented, and put thyself and thy voluptuous act wholly to the King's will and pleasure, and by him to have been ordered as his Grace should have thought good.' 'Sir,' quoth the Lord Percy, 'so I would, but in this matter I have gone so far, before many worthy witnesses, that I know not how to discharge myself and my conscience.' 'Why thinkest thou,' said the Cardinal, 'that the King and I know not what we have to do in as weighty a matter as this? Yes (quoth he), I warrant thee. But I can see in thee no submission to the purpose.' 'Forsooth, my Lord,' quoth the Lord Percy, 'if it please your Grace I will submit myself wholly unto the King's Majesty and your Grace in this matter, my conscience being discharged of the weighty burden thereof.' 'Well then,' quoth the Cardinal, 'I will send for your father out of the north parts, and he and we shall take such order in this matter as shall be thought by the King most convenient. And in the mean season, I charge that thou resort no more into her company, as thou wilt abide the King's indignation.' And therewith he rose up, and went his way into his chamber. Then was the Earl of Northumberland sent for in the King's name, who, upon receipt of the King's letters, made all the speed that he could unto the King out of the north. At his coming first he made his resort unto my Lord Cardinal, as most commonly did all other noble personages, that were sent for in such sort, at whose hands they were advertised of the cause of their sending for. But when the Earl was come to my Lord, he was brought incontinent unto him in his gallery. After whose meeting my Lord Cardinal and he were in secret communication a long space. And after their long talk and drinking of a cup of wine, the Earl departed. And in going his way, he sat down at the galleries end, in the half place, upon a form that was standing there for the waiter's ease. And being there set called his son unto him, we standing before him, and said thus in effect unto him:—'Son,' quoth he, 'even as thou art, and always hast been, a proud, licentious, disdainful, and a very unthrifty waster, so hast thou now declared thyself. Wherefore what joy, what comfort, what pleasure, or solace shall I conceive of thee, that thus without discretion hast misused thyself, having neither regard unto me, thy natural father, nor unto thy natural sovereign Lord, to whom all subjects loyal bear faithful obedience; nor yet to the wealth of thine own estate, but hast so unadvisedly assured thyself unto her, for whom thou hast purchased the King's high displeasure, intolerable for any subject to sustain. And but that his Grace doth consider the lightness of thy head, and wilful qualities of thy person, his displeasure and indignation were sufficient to cast me and all my posterity into utter ruin and destruction. But he, being my singular good and favourable Prince, and my Lord Cardinal my good Lord, hath and doth clearly excuse me in thy lewd fact, and doth rather lament thy lightness than malign me for the same; and hath devised an order to be taken for thee; to whom both thou and I be more bound than we be able well to consider. I pray to God that this may be unto thee a sufficient admoni-

[He was called "The unthrifty Earl"]

tion to use thyself more wisely hereafter; for that I assure thee, if thou dost not amend thy prodigality, thou wilt be the last Earl of our house; for of thy natural inclination thou art disposed to be wasteful and prodigal, and to consume all that thy progenitors have with great travail gathered and kept together with honour. But having the King's Majesty my singular good and gracious Lord, I trust, I assure thee, so to order my succession that you shall consume thereof but a little. For I do not intend, I tell the truth, to make thee mine heir; for thanks be to God, I have more boys, that I trust will prove much better, and use themselves more like unto wise and honest men, of whom I will chuse the most likely to succeed me. Now good masters and gentlemen' (quoth he unto us), 'it may be your chances hereafter, when I am dead, to see these things that I have spoken to my son prove as true as I spake them. Yet in the mean season I desire you all to be his friends, and to tell him his fault, when he doeth amiss, wherein you shall show yourselves friendly unto him. And here,' quoth he, 'I take my leave of you. And, son, go your ways into my Lord, your master, and attend upon him according to thy duty.' And so he departed, and went his way down the hall into his barge.

"Then after long consultation and debating in this the Lord Percy's late assurance, it was devised that the same should be infringed and dissolved, and that the Lord Percy should marry one of the Earl of Shrewsbury's daughters. And so he did after all this; by means whereof the former contract was dissolved; wherewith Mistress Anne Bullen was greatly offended, promising if it ever lay in her power she would work much displeasure to the Cardinal; as after she did indeed. And yet was he not in blame altogether; for he did nothing but by the King's devised commandment. And even as my Lord Percy was commanded to avoid her company, so she was discharged of the Court, and sent home to her father for a season, whereat she smoked; for all this time she knew nothing of the King's intended purpose."[5]

At a later period Lord Percy, then Earl of

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[5] Wordsworth's Eccl. Biog., i. 363. Among the Vatican MSS. there exists a contemporary version of the story in verse.

Northumberland, denied that there had been any pre-contract between him and Anne Boleyn, and it is possible that the matter had not gone so far as a formal betrothal.[6] Yet there exists a letter from some person whose name was not attached to it, which seems to show clearly enough that she was formally betrothed, and not merely "engaged" to the writer; and remembering that Cavendish was an eye and ear witness of the interview between Lord Percy and his father, and that he has always been regarded as a most honest and truthful historian, it is very difficult to suppose that the letter could be written by any one except Lord Percy. It is as follows :—

"Mr. Malton, this shall be to advertise you that Mistress Anne is changed from that she was at when we three were last together. Wherefore, I pray you, that ye be no devil's sack, but according to the truth ever justify, as ye shall make answer before God, and do not suffer her in my absence to be married to any other man. I must go to my master, wheresoever he be, for the Lord Privy Seal desireth much to speak with me, whom if I should speak with in my master's absence it would cause me lose my head; and yet, I know myself as true a man to my prince as liveth; whom (as my friends informeth me), the Lord Privy Seal saith, I have offended grievously in my words. No more to you, but to have me commended unto Mistress Anne; and bid her remember her promise, which none can loose but God only, to whom I shall daily, during my life, with my prayer commend."[7]

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[6] This denial is repeated in the following letter to Cromwell, printed by Bishop Burnet from the Cottonian Lib. Otho. C. 10 :—"Mr. Secretary, This shall be to signify unto you, that I perceive by Sir Raynold Carnaby, that there is supposed a Precontract between the Queen and me; whereupon I was not only heretofore examined upon my Oath before the Archbishops of Canterbury and York, but also received the Blessed Sacrament upon the same before the Duke of Norfolk, and other the King's Highness' Council Learned in the Spiritual Law; assuring you, Mr. Secretary, by the said Oath, and Blessed Body which afore I received, and hereafter intend to receive, that the same may be to my Damnation, if ever there were any contract or promise of marriage between Her and Me. At Newington-Green, the xiiith Day of May, in the 28th Year of the Reign of our Sovereign Lord King Henry the VIIIth.—Your assured, Northumberland." The Earl died shortly afterwards.

The King's inclinations known to Anne Boleyn A.D. 1527

Whenever this affair occurred, it was almost certain to have led to some disclosure of the King's feelings, though it is said by Cavendish that she always had a "grudge against my Lord Cardinal for breaking of the contract made between my Lord Percy and her, supposing that it had been his devised will and none other." But he states that she was soon recalled to court, and that she was not long in knowing the King's inclination towards her, if she did not know it before. It was probably, in fact, during her absence from court on this occasion that she received from Henry the earlier letters of a series, the date of which has been assigned with tolerable certainty to the years 1527 and 1528, beginning with the earlier half of the former year.[8]

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[7] Ellis' Orig. Lett., III. ii. 131. There is, however, a letter from Wolsey to the King in the State Papers, in which he writes respecting a son of Sir Piers Butler (Lord Ormond, whose title of Ormond was taken away and given to Sir Thomas Boleyn). "And I shall, at my return to your presence, devise with your Grace, how the marriage betwixt him and Sir Thomas Bolain his daughter may be brought to pass." . . . This letter is supposed, by the editor of the State Papers, to have been written in November 1521. He also supposes that Mary Boleyn must be the daughter meant because Anne was then in France, and only fourteen years of age; but this is no evidence whatever; and it is certain that Mary Boleyn had been married to William Carey the year before.

[8] These letters are too remarkable to be passed over without some further notice than the text admits of. The originals are seventeen in number, some in French, and others in English, and are preserved in the Vatican Library, where they are numbered among the MSS. as 3731. They are all printed at length in the Harleian Miscellany, iii. 47-60, and in vols. 21 and 22 of the Pamphleteer, in which latter publication there are facsimile specimens of the writing and signatures. Bishop Burnet saw them, and says, "I, that knew his hand well, *saw clearly that they were no forgeries.*" [Travels, Letter iv. p. 37.]

Lord Herbert states [Henry

A.D. 1527

Her acceptance of his advances

In these he always lavishes the most tender terms of affection upon her; and sometimes writes in such free language of their longed-for union as shows that he had then, at least, learned that such language, however gross, would not be offensive to her. They also supply evidence that neither warmth of feeling nor warmth of expression were all on one side. Even in the earlier letters, and when he is addressing her as "mistress and friend," he hopes that absence will not diminish her affection for him, and speaks of the demonstration of it which she has already made towards him. About October 1528, he is assuring her that the divorce business is going on as quickly as it can. "There shall be no time lost," he says in one letter, and in another, "there can be no more done, nor more diligence used;" while in a third, he rejoices that she has been brought round to a reasonable patience, "the suppressing of your inutile and vain thoughts and fantasies with the bridle of reason."

Her impatience about delay as to the divorce

The replies of Anne Boleyn to these letters of the King are not known to exist, but several letters which she wrote to Cardinal Wolsey are extant, and these show how eager this young lady of nineteen or twenty years old was for the settlement of that divorce which would enable her to supplant her elder

VIII., p. 288] that the recovery of these letters was one object of the search made among the luggage of Cardinal Campeggio when he was embarking for Rome in 1529, but that they had previously been sent to Rome. He also says that they had been stolen from the King's cabinet, but the editor of the Harleian Miscellany thinks they must have come from Anne Boleyn's cabinet, as the letters were all written *to* her by the King, and were not likely to have been preserved by him if they had been returned into his hands.

Some parts of the King's language in these letters are too indelicate to be put into a volume intended for general reading; it can only be said that they contain distinct allusions to licentious intercourse between himself and his correspondent.

rival of twenty years' honourable and virtuous standing as wife and Queen.[9]

Hitherto we have been looking at this question, from what may be said to be the domestic point of

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[9] Two are in the Harleian Miscellany, iii. 60. "My Lord, in my most humblest wise that my heart can think, I desire you to pardon me that I am so bold to trouble you with my simple and rude writing, esteeming it to proceed from her that is much desirous to know that your Grace does well, as I perceive by this bearer that you do. The which I pray God long to continue, as I am most bound to pray; for I do know the great pains and troubles that you have taken for me, both day and night, is never like to be recompensed on my part, but alonely in loving you, next unto the King's grace, above all creatures living. And I do not doubt but the daily proofs of my deeds shall manifestly declare and affirm my writing to be true; and I do trust you do think the same. My Lord, I do assure you I do long to hear from you news of the Legate: for I do hope and they come from you they shall be very good; and I am sure you desire it as much as I, and more and it were possible, as I know it is not: and thus remaining in a stedfast hope, I make an end of this letter written with the hand of her that is most bound to be.

"The writer of this letter would not cease till she had caused me likewise to set to my hand; desiring you, though it be short, to take it in good part. I ensure you there is neither of us but that greatly desireth to see you, and much more joyous to hear that you have escaped this plague so well, trusting the fury thereof to be passed, specially with them that keepeth good diet, as I trust you do. The not hearing of the Legate's arrival in France, causeth us somewhat to muse; notwithstanding we trust by your diligence and vigilancy (with the assistance of Almighty God) shortly to be eased out of that trouble. No more to you at this time; but that I pray God send you as good health and prosperity as the writer would.

"By your loving sovereign and friend, HENRY K.

"Your humble servant, ANNE BOLEYN."

"My Lord, in my most humble wise that my poor heart can think, I do thank your Grace for your kind letter, and for your rich and goodly present, the which I shall never be able to deserve without your help; of the which I have hitherto had so great plenty, that all the days of my life I am most bound of all creatures, next the King's grace, to love and serve your Grace: of the which I beseech you never to doubt that ever I shall vary from this thought as long as any breath is in my body. And as touching your Grace's trouble with the sweat, I thank our Lord, that them that I desired and prayed for are scaped, and that is the King and you; not doubting but that God has preserved you both for great causes known alonely of his high wisdom. And as for the coming of the Legate, I desire that much; and if it be God's pleasure, I pray him to send this matter shortly to a good end, and then I trust, my Lord, to recompense part of your great pains: in the which I must require you in the mean time to accept my good will in the stead of the power, the which must proceed partly from view, but as soon as the King and Anne Boleyn had made up their minds as to the course to be pursued for the attainment of their wish, the former sought the advice of his chief minister as to the best means of bringing about the intended divorce. Wolsey resolutely declined to give any individual opinion or advice, and recommended the King to give him his authority "to ask counsel of men of ancient study, and famous learning, both in the divine and civil laws ;"[1] and thus we pass from the more domestic to the political and national aspect of the divorce.

Wolsey refuses to decide as to the legality of the King's marriage

The first step was taken by summoning some of the bishops to Westminster that they might hold a consultation on the subject. This was done by the

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you, as our Lord knoweth ; to whom I beseech thee to send you long life, with continuance in honour. Written with the hand of her that is most bound to be

"Your humble and obedient servant, ANNE BOLEYN."

A third is in Fiddës' Wolsey, Collect. p. 256, as follows :—

"My Lord after my most humble recommendations this shall be to give unto your Grace as I am most bound my humble thanks for the great pain and travail that your Grace doth take in studying by your wisdom and great diligence how to bring to pass honourably the greatest wealth that is possible to come to any creature living and in especial remembering how wretched and unworthy I am in comparing to his Highness. And for you I do know myself never to have deserved by my deserts that you should take this great pain for me yet daily of your goodness I do perceive by all my friends and though that I had not knowledge by them the daily proof of your deeds doth declare your words and writing toward me to be true. Now good my Lord your discretion may consider as yet how little it is in my power to recompence you, but all only with my good will the which I assure you that after this matter is brought to pass you shall find me as I am. Bound in the meantime to owe you my service, and then look what thing in this world I can imagine to do you pleasure in you shall find me the gladdest woman in the world to do it. And next unto the King's Grace of one thing I make you full promise to be assured to have it, and that is my hearty love, unfeigned during my life. And being fully determined with God's grace never to change this purpose I make an end of this my rude and true meaning letter praying our Lord to send you much increase of honour with long life. Written with the hand of her that beseeches your Grace to accept this letter as proceeding from one that is most bound to be, your humble and obedient servant,

"ANNE BOLEYN."

[1] Cavendish, Wordsw. Ecc. Biog., i. 416.

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Cardinal under his authority as legate, and Cavendish says that all the bishops who were learned in divinity or in the civil law were required to attend the council.[2] "Then was the matter of the King's case debated, reasoned, argued, and consulted of from day to day, and time to time," from which it appears that there was a prolonged deliberation: and it also appears to have been in some degree a public discussion, for he adds "that it was to the learned a goodly hearing." The King is stated by Foxe and Lord Herbert to have said in the following year that "all the clerks of his kingdom, except two, had lately declared for him,"[3] and also produced before the legatine court an instrument in his favour, signed and sealed by all the bishops (of which mention will be made hereafter); but he must have referred to some other assembly than that summoned by Wolsey. For Cavendish, who is also the authority for what the King said before the legates, declares that no decision was, on this occasion, arrived at. "In the conclusion, as it seemed to me and other, the ancient fathers of both the laws, by my small estimation at their departure, departed with one judgement contrary to the principal expectation. I heard then the opinion of some of the most famous persons among

Summons a learned assembly to discuss it

But no decision given

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[2] In an early Life of Archbishop Cranmer, of which the MS. [Harl., 417, fol. 90] was used by Foxe, it is said that when the King's doubts arose, he "sent for six of the best learned men of Cambridge, and six of Oxford, to debate this question, whether it were lawful for one brother to marry his brother's wife, being known of his brother; of the which twelve doctors Cranmer was appointed for one, but because he was not then at Cambridge there was another chosen in his stead: which twelve learned men agreed fully, with one consent, that it was lawful, with the Pope's dispensation, so to do" [Nichol's Narratives of the Reformation, p. 219]. This may have been done before the Bishops were called together, for it is plain that the decision would lead the King to seek for other counsel.

[3] Herbert's Hen. VIII., 245. Foxe, i. 49, Cattley's Ed.

that sort report that the King's case was too obscure for any learned man to discuss, the points thereof were so doubtful to have any true understanding or intelligence. And therefore they departed without any resolution or judgement." This seems to show that the King called one assembly after another until he obtained opinions favourable to his wishes.

King prepares to consult universities

Cavendish goes on to state (but not now as of his own knowledge as one present) that this assembly of Bishops recommended the King to take the opinions of all the universities in Christendom, and that commissions were at once drawn up for the purpose of doing so.

Story of Cranmer improbable

The usual story is that this plan was suggested by Cranmer in the year 1529, but although this story comes to us on the authority of Cranmer's secretary, Ralph Morice, it was not written down by him until many years later, and he does not say, as he does of some of his anecdotes, that he had it from the Archbishop himself.[4] It is certain that this important suggestion was made to the King in the year 1527, as the following letter, written in that year, will show:[5]—

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[4] This story is "dressed up," after his fashion, by Foxe, who winds it up with a coarse expression of the King's, to the effect that if he had known this device two years before he could have saved much money, and rid himself of much disquietness. But it is quite clear that the King did know of this device two years before 1529, from the letter of Wakefield, if not from the advice of the bishops. The original narrative of Morice is still in the Library of Corpus Christi College, Cambridge [MS. 128, f. 405], and is printed in Nichol's Narratives of the Reformation, p. 240. Foxe's romancing version of it is to be found in vol. viii. p. 6, Cattley's Ed. Burnet, of course, repeats Foxe.

[5] The writer of it was at the time a monk of Sion, but was afterwards appointed the Regius Professor of Hebrew at Oxford. The letter was sent to the King by Pace, then Dean of St. Paul's, accompanied by "a book," and also by a manuscript Hebrew alphabet, which was to enable Archbishop Warham so to master the language *in a month*, as to see how far the original text of Leviticus and Deuteronomy agreed with the Septuagint and the Vul-

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A.D. 1527

Wakefield's early suggestion of such a course

"Please it your Grace, I, as your true and faithful subject, will, and can defend your cause or question in all the universities in Christendom against all men, by good and sufficient authority of the Scripture of God, and the words of the best learned and most excellent authors of the interpreters of the Hebrews, and the Holy Doctors, both Greeks and Latins, in Christ's faith: Humbly beseeching your Grace to keep the thing secret from all persons living, both man and woman, unto such time as I shall show unto you the time of publication thereof, or else Master Paice, signifying unto your Highness that it shall make much for the furtherance of your cause, and that otherwise I neither will nor can do anything therein, for if the people should know that I, which began to defend the Queen's cause, not knowing that she was carnally known of Prince Arthur, your brother, should now write against it, surely I should be stoned of them to death, or else have such a slander and obloquy raised upon me that I had rather to die a thousand times or suffer it. I have and will, in such manner, answer to the Bishop of Rochester's book that I trust he shall be ashamed to wade or meddle any further in the matter. The thing which I am making will be ingens volumen, and I shall take no rest till I have brought it, by the grace of God, who always helpeth the truth, to a good and perfect end. I have showed somewhat of my book to Master Paice, and I trust he will confirm the same unto your Grace. No more to your Highness at this time, but Jesu preserve you. From Syon this present morning,

"By your Graces Faithful
"Subject and Scholar,
"R. WAKFELDE."

Whether Wakefield or the bishops first suggested this course to the King, it may be considered as certain that the idea of consulting the English and foreign universities was entertained two years earlier

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gate. On the following day, Pace wrote to the King again on the subject. Both letters were published by Berthelet, the King's printer, with other documents referring to the divorce, and dated 1527. They are also printed in Knight's Life of Erasmus, App. p. xxviii.; and by Le Grand, iii. 1.

than has commonly been stated, although not immediately acted upon.[6] And when it is remembered that the object in view was that of repudiating the authority of a papal bull, which was looked upon as the highest possible expression of the Pope's authority, the delay in taking so decided a step will not seem very surprising.

The King hesitates

But the King's applications to the learned men of his realm, and especially to those of Oxford and Cambridge, had been anything but encouraging, and he seems to have then thought (though his mind changed afterwards) that there was no probability of getting such support from those or any other universities as would be a sufficient justification for his setting aside the dispensation of Julius II., and acting as if his marriage with Catherine was null and void *ab initio*. He therefore resolved to seek the Pope's co-operation, and request the same authority which had declared the marriage lawful with one stroke of the pen to declare it unlawful with another.[7] The time seemed propitious for such an application on

and communicates with the Pope

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[6] There is a remarkable passage in the first despatch sent to Cassilis, which seems to show that some consultation of foreign as well as English divines had already taken place when it was written, which was on December 5, 1527. The passage is this,—"... super qua re maturum sanumque judicium consuluit clarissimorum celeberrimorumque Doctorum aliorumque complurium in omni eruditionis genere excellentiorum virorum ac Prælatorum, partim Theologorum, partim Jurisperitorum, tum in suo regno, *tum alibi existentium*, ut aperte vereque cognosceret, an dispensatio antea concessa pro se et Regina, ex eo quod Regina fratris sui uterini uxor antea extiterit, valida et sufficiens foret, necne; demumque a variis multisque ex his Doctoribus asseritur, quod Papa non potest dispensare in primo gradu affinitatis, tanquam ex jure Divino, moraliter, naturaliterque prohibito, ac si potest, omnes affirmant et consentiunt quod hoc non potest, nisi ex urgentissimis et arduis causis, quales non subfuerunt." Burnet, iv. 21, Pocock's Ed.

[7] Lord Herbert states that Wolsey warned the King there would be a certainty of the Queen's appealing to the Pope if the cause were tried in England, and went against her.

his part, for the Emperor (who must necessarily be looked on as the chief opponent of it, on behalf of Catherine, who was his aunt) was engaged in a strife with the Pope, which ended in Clement's captivity and a fearful slaughter of the citizens of Rome.

Pope and Charles V. at war

Yet, such is the consciousness of vitality which always upholds the Holy See, that even in its hour of greatest depression and weakness it can afford to assume the appearance of authority and independence; and the King found that he could not depend upon so early and complete a settlement of his case as he expected.

The first communication on the subject between Henry and the Pope took place in the autumn of 1527, and the business went on almost unceasingly from that time for nearly six weary years following. The history of these negotiations is a tangled web of intrigue, selfishness, hypocrisy, and double dealing. We may spare ourselves the more minute details, and be content to take a general view of the whole business as it is to be elucidated from State Papers, and from contemporary or nearly contemporary accounts which have been handed down to us.

Beginning of the negotiations with Clement VII.

Sir Gregory Cassilis, one of the three brothers engaged in the diplomatic affairs of England and Italy, being the King's regular agent at the Roman court, a special agent was sent out between July and September of the year 1527 to co-operate with him on this particular matter. This was the King's secretary, Dr. Knight, an old and infirm man, but one in whom Henry seems to have placed implicit confidence. At his arrival in Rome, on November 25th, he found that the Pope was imprisoned in the Castle of St. Angelo, in company with a small body of cardinals, the city having been taken and sacked by the Duke of Bourbon on May 7th of that year. Although he contrived to hold some immediate communication with the Pope by letter, Knight was not able to obtain an interview with him until after his escape from Rome, which was effected on December 9th. He then followed Clement to Orvieto, where Cassilis and himself had an audience, at which some preliminary discussion of the case took place, the Pope appearing to be willing to grant what was requested, and writing to that effect himself to the King.[8] They also communicated their business to the Cardinal Secretary of State, who seemed open to conviction when he heard their arguments, accompanied as they were by liberal promises of a "competent reward" at the King's hands.[9]

Ambassadors find him at Orvieto

The ambassadors had been instructed to ask for two documents at first. The one was a commission empowering Cardinal Wolsey or (in case he should be thought too much interested) Cardinal Staphilaeus to hear and determine the cause as between the King and the Queen in England. The other was a dispensation by which the King was to be permitted, in case the divorce was decreed, to contract another marriage, the children of both marriages being declared legitimate. The drafts of these instruments were sent out by Dr. Knight, and in that of the dispensation there was actually a clause which authorized marriage with any lady, even in the first degree of affinity, provided she were not the widow of his brother. To sign these documents

Authority asked to try the case in England

or for King to marry a second wife

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[8] State Papers, vii. 27.

[9] Dr. Knight paid him 2000 crowns as soon as the bulls were signed.

would be to make a still worse enemy of the Emperor, and it was by no means certain that the lavish promises of support and assistance sent by Henry were likely to be fulfilled. It was only, therefore, after much persuasion that the Pope agreed to do so, and it is evident that his signing them was considered to add much to his dangers and difficulties both by himself and by the King's own agent, Secretary Knight.[1]

Pope signs both documents

While the courier whom Knight despatched with these important documents was still on the road, Gardiner (afterwards Bishop of Winchester) and Fox (afterwards Bishop of Hereford) appeared before the Pope with a request for further concessions. No confidence was felt as to his ratification of any act which was not made very binding, and he was now desired to grant another bull, by which he should (1) declare the marriage of Henry and Catherine null and void, provided certain questions of fact were established before the legates; and (2) give a solemn promise never to admit an appeal from the decision so pronounced, nor to revoke the cause to Rome for investigation before himself. This bull, of which also a draft had been sent out ready prepared from England, the Pope utterly refused to sign. Arguments, persuasions, and threats were all used in

Is then asked to annul marriage with Catherine

and to forbid any appeal to himself

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[1] To Wolsey, Knight wrote on January 1st, that the Pope "was content to put himself into evident ruin and utter undoing" rather than be thought ungrateful by the King or the Cardinal. To the King himself Knight also wrote his own opinion thus. "But albeit that everything is passed according unto your Highness' pleasure, I cannot see, but in case the same be put in execution at this time the Pope is utterly undone, and so he saith himself; . . . wherefore he puts his honour and health wholly into your Highness' power and disposition." Burnet, iv. 36, 39, Pocock's Ed. Even while the Pope was in St. Angelo, the General of the Spanish Observants had been sent to require him not to grant any such requests.

succession. It was shown how great danger might ensue to England if Henry should die without a son to succeed him, and the Pope acknowledged the force of this reasoning, but yet was not moved by it to do that which was requested. He was reminded of the friendship which Henry had always shown to the Holy See, and of the special service he had done by writing his book against Luther. Gardiner even proceeded to taunt the Pope in sarcastic language while in the midst of his cardinals. "If the King's Majesty and the nobility of England," he said, "being persuaded of your good will to answer, if you can do so, shall be brought to doubt your ability, they will be forced to a harder conclusion respecting the See, namely, that God has taken from it the key of knowledge. And they will begin to give better ear to that opinion of some persons to which they have as yet refused to listen, that those papal laws, which neither the Pope himself nor his council can interpret, deserve only to be committed to the flames." But neither argument, persuasion, nor threat could move the Pope to commit himself so entirely as he would have done by signing this instrument; and it may be hoped that he was prevented from doing so as much by a sense of justice and determination not to prejudge the cause, as by fear that ruin would follow an act so hostile to the Queen, and therefore to her nephew the Emperor. But it cannot be doubted that Clement also desired, if possible, to let the case settle itself; or at least to prevent it from coming immediately before himself as the judge of ultimate appeal for Christendom. He even suggested that Henry should marry a second wife, if his conscience would permit him so to do, and then let

Bold language of English agents

But the Pope will not consent

and falls back on the previous bulls

the cause be brought before Wolsey, that he might give sentence upon it in his ordinary jurisdiction as legate *a latere*. But he felt that a dangerous chapter of events had opened. "It would be for the wealth of Christendom," he said to Gardiner, "if the Queen were in her grave, ... like as the Emperor has destroyed the temporalities of the Church, so shall she be the destruction of the spiritualities." And it is not surprising that he should wish to commit himself as little as possible with respect to that future of which he took so gloomy a view.

Wolsey and Campeggio appointed legates to hear the cause

The end of these, and of other similar embassies for the present, was the appointment of Wolsey and Campeggio as legates for the purpose of hearing the cause in England. The Pope had at first offered to join the Archbishop of Canterbury, or any other English bishop, in commission with Wolsey, and a bull was signed on April 13, 1528, to this effect,[2] but it seems to have been thought that no English bishop was to be trusted. Cardinal Campeggio was old, miserably infirm with the gout, and in charge at Rome during the Pope's absence. But five of the Cardinals were detained as hostages by the Emperor, others had gone to their cures, disgusted with the state of affairs in Italy, and only five remained with the Pope at Orvieto to assist him with their counsel, and to conduct official business. There was, besides this necessity, a fitness in the choice of Campeggio, for he had already been in England, and was thus less of a stranger than any other cardinal would have been; and he was also, nominally, Bishop of Salisbury.

Reasons for selection of Campeggio

[2] Rymer, xiv. 237.

He declines a public reception

Has audiences of the King

Neither side sincere

The Italian legate received his commission on June 8, 1528, but either owing to his infirmities or to intentional delays he did not reach England until October 1st. A public reception was intended, but he declined the honour on account of his gout, not perhaps without accompanying recollections of the broken coffers, whose emptiness had excited so much merriment among the spectators on his former state passage through the streets of London. He went quietly to a house of Wolsey's, Bath Place, outside Temple Bar, and after a few days' rest proceeded in company with his brother legate to present himself to the King, and afterwards to the Queen, in his official capacity. The interview with the King was of a formal and complimentary character, Latin speeches being made by the secretary to the legates and by Fox, then King's almoner, and afterwards Bishop of Hereford,[3] the latter urging in the King's favour what he was never tired of having proclaimed, the great services he had rendered to the Holy See. At a private audience which followed, Campeggio gave Henry to understand that the Pope had every wish to see the course of events follow in the direction of the King's intentions and inclination. It may be doubted, however, whether either side believed in the sincerity of the other: the King was trying to entrap the Pope, that he might get his own way, and the Pope was trying to deceive the King, that he might secure safety out of procrastination.

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[3] It is singular how small a space in history is occupied by Edward Fox, and yet how great a man he seems to have been. One of his many sententious sayings has become very familiar to the modern world,—"The surest way to peace is a constant preparedness for war." Both universities are indebted to him, for he influenced much the foundation of Christ Church and of King's College.

Legates have audience of the Queen

King's suggestion for settling the business

At the audience which was granted to the legates by the Queen, they evidently endeavoured, probably according to their instructions, to compromise the matter between her and the King. It had been already suggested by the latter, in a despatch to his ambassadors at Rome,[4] that the King and Queen should each take the vow of chastity, and that when the latter was thus effectually disposed of, the former should be absolved from his vow by the Pope. It is to be hoped that the second part of this proposition was not known to Campeggio when he suggested to her that she should solve the difficulty in which they were all placed, and restore peace to Christendom by "entering into religion;" that is, retiring into a convent under the obligations of "*religio laxa*," which would only restrict her to residence and perpetual widowhood. The Queen's duty to herself as a wife, and to her child as a mother, required that she should decline acceding to this request, and there is reason to think that she did so in language similar in substance to that which she used before the legates, associating with her refusal a denial of their jurisdiction and authority over her.[5]

The project of divorce made public

The King now thought fit to state his case before the nation at large; for it must be remembered that all that had taken place hitherto was of at least a private character, while some of the transactions were conducted with scrupulous secrecy. But on November 8, 1528, a large number of nobility and gentlemen—perhaps members of the Privy Council,

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[4] State Papers, vii. 136.

[5] This inference may be drawn from the fact that of the early historians who report her speech, Cavendish and Stow say it was spoken at the first sitting of the court, and Hall that it preceded the opening of the commission. The two accounts are reconcileable as above.

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with the Lord Mayor—were assembled at his Blackfriars palace of Bridewell, and the King disclosed his purpose to them in a speech which the chronicler Hall reports in words that are probably in the main authentic :—

The King's speech at Blackfriars

"Our trusty and well-beloved subjects, both you of the nobility, and you of the meaner sort, it is not unknown to you how that we, both by God's provision, and true and lawful inheritance, have reigned over this realm of England almost the term of twenty years, during which time we have so ordered us, thanked be God, that no outward enemy hath oppressed you, nor taken anything from us; nor we have invaded no realm but we have had victory and honour; so that we think that you, nor none of your predecessors, ever lived more quietly, more wealthy, nor in more estimation, under any of our noble progenitors. But when we remember our mortality, and that we must die, then we think that all our doings in our lifetime are clearly defaced, and worthy of no memory, if we leave you in trouble at the time of our death. For if our true heir be not known at the time of our death, see what mischief and trouble shall succeed to you and your children; the experience thereof some of you have seen, after the death of our noble grandfather, King Edward IV., and some have heard what mischief and manslaughter continued in this realm between the houses of York and Lancaster, by the which dissension this realm was like to have been clearly destroyed. And though it has pleased Almighty God to send us a fair daughter, of a noble woman and me begotten, to our great comfort and joy, yet it hath been told us by divers great clerks, that neither she is our lawful daughter nor her mother our lawful wife, but that we live together abominably and detestably in open adultery; insomuch that, when our ambassage was last in France, and motion was made that the Duke of Orleans should marry our said daughter, one of the chief counsellors to the French King said, it were well done to know whether she be the King of England's lawful daughter or not: for well known it is that he begat her on his brother's wife, which is directly against God's law and his precept.

CHAP III A.D. 1528 Think you, my lords, that these words touch not my body and soul? Think you that these doings do not daily and hourly trouble my conscience and vex my spirits? Yes, we doubt not but, and if it were your own cause, every man would seek remedy, when the peril of your soul and the loss of your inheritance is openly laid to you. For this only cause, I protest before God, and in the word of a prince, I have asked counsel of the greatest clerks in Christendom; and for this cause I have sent for this legate, as a man indifferent, only to know the truth, and to settle my conscience, and for none other cause, as God can judge. And as touching the Queen, if it be adjudged by the law of God that she is my lawful wife, there was never thing more pleasant nor more acceptable to me in my life, both for the discharge and clearing of my conscience, as also for the good qualities and conditions, the which I know to be in her. For I assure you all that, beside her noble parentage, of the which she is descended, as you all know, she is a woman of most gentleness, of most humility, and buxomness, yea, and of all good qualities appertaining to nobility; she is without comparison, as I, these twenty years almost, have had the true experiment; so that, if I were to marry again, if the marriage might be good, I would surely choose her above all other women. But if it be determined by judgment that our marriage was against God's law, and clearly void, then I shall not only sorrow the departing from so good a lady and loving companion, but much more lament and bewail my unfortunate chance, that I have so long lived in adultery, to God's great displeasure, and have no true heir of my body to inherit this realm. These be the sores that vex my mind, these be the pangs that trouble my conscience, and for these griefs I seek a remedy. Therefore I require of you all, as our trust and confidence is in you, to declare to our subjects our mind and intent, according to our true meaning, and desire them to pray with us that the very truth may be known for the discharge of our conscience and saving of our soul; and for the declaration hereof I have assembled you together, and now you may depart."[6]

[6] Hall's Henry VIII., fol. 180, p. 754, Ed. 1809.

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After this public declaration of the King's mind, there was a delay of about six months before the court of the legates was opened for the purpose of hearing the cause. Some little time would no doubt be occupied in arranging the order of proceeding, and in giving instructions to the counsel on both sides; but the substantial cause of the delay appears to have lain in further negotiations between the King and the Pope.[7] The King's representatives at Rome were directed to apply for a license to the legates, to exhibit their commission before the Lords of the Privy Council; an attempt was made to obtain more complete powers for the legates, so that their decision should be final; and the Pope was again sounded as to the possibility of shelving the whole business by permitting Henry to have two wives at the same time, which would render it unnecessary to declare the marriage with Catherine unlawful.

Attempt to gain more authority for legates

Scheme for two wives still persisted in

During this interval Wolsey seems to have grown more and more awake to the importance of the crisis, and to have foreseen that it could hardly end otherwise than in a renunciation, more or less, of the Pope's jurisdiction in England. In the despatch which recalled Gardiner he bids him set this strongly before the Pope, in reference to a report that he was about (at the request of the Emperor) to undo all that he had done:—

Wolsey sees the coming crisis

> "Ye shall therefore," he says, "look substantially by all politick means to withstand, that no such thing be granted; assuring the Pope and all the Cardinals, and such others as

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[7] And in waiting for the return of Gardiner, who was to appear for the King. "For if it had not been for the absence of you, Mr. Stevins," writes Wolsey, "the King's Highness would have entered into process here before this Whitsuntide." Burnet, iv. 95; Pocock's Ed.

have respect to the weal of the See Apostolick, that if he should do such an high injury to the King and his Realm, and an act so contumelious to us his Legates, and so contrarious to his Faith and Promise, he should thereby not fail so highly to irritate the King and all the Nobles of this Realm, that undoubtedly they should decline from the obedience of the See Apostolick, and consequently all other Realms should do the semblable, forasmuch as they should find in the Head of the same, neither justness, uprightness, nor truth; and this shall be necessary, as the case shall require, well to be inculked and put in his head, to the intent his Holiness by the same may be preserved from granting, passing, or condescending to any such thing."[8]

Danger of the Pope's calling the cause to Rome

About the same time, also (April 6th), the King himself wrote to his ambassadors, urging them to use all means possible to prevent the Pope from revoking the cause from the legates' court in England to his own in Rome, which it was now strongly suspected was his Holiness' intention; and that they did not measure their language too nicely in acting on the King's instructions is shown by Dr. Benet's graphic description of the Pope's demeanour on the occasion :—

"To this his Holiness most heavily, and with tears, answered and said, That now he saw the destruction of Christendom, and lamented that his fortune was such to live to this day, and not to be able to remedy it (saying these words), for God is my judge, I would do as gladly for the King, as I would for my self; and to that I knowledge my self most bounden, but in this case I cannot satisfie his desire, but that I should do manifestly against justice to the charge of my conscience, to my rebuke, and to the dishonour of the See Apostolick; affirming, that his counsel shews him, that seeing the Cæsarians have a mandate or proxy of the Queen, to ask the advocation in her name, he cannot of justice

The Pope between King and Emperor

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[8] Burnet, iv. 110, Pocock's Ed.

deny it, and the whole signature be in that same opinion; so that though he would most gladly do that thing that might be to the King's pleasure; yet he cannot do it, seeing that signature would be against him whensoever the supplication should be up there: and so being late, we took our leave of his Holiness, and departed, seeing that we could obtain nothing of the Pope for stopping the advocation."[9] . . .

First communication of Henry's intentions to the Emperor

During all these proceedings there appears to have been no official communication between the Emperor and the King on the great subject in which the honour of each was so much concerned. But Ghinucci, Bishop of Worcester, and Dr. Lee, who were the King's ambasssdors to the court of Charles, communicated with the latter respecting it on April 5, 1529. There could only be one reply, and that was to the effect that the Emperor regretted very much the course Henry was taking, and that he would defend the Queen's cause. He also suggested a reference to the Pope, or to a General Council. This was followed up by a formal protest on his part against any proceedings being taken in England. To the Earl of Wiltshire he would scarcely listen, rightly considering it an insult to the Queen that Anne Boleyn's father should have been sent on such an errand. But the Emperor damaged Catherine's cause, in the hearts of the English peo-

His reception of it

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[9] Dr. Benet's letter to Wolsey. Burnet, iv. 123, Pocock's Ed. The letter is dated July 9th; the delay having been caused by the Pope's illness. Notwithstanding all these tears and protestations, it seems to be a fact, that the Pope had sent by Campeggio a "decretal bull," in which all that Henry desired was granted, and also a written promise that he would not avocate the cause to Rome, or reverse the decision of the legates. These documents were conceded after much hesitation, at the urgent request of Wolsey, and are said to have been in the form transmitted from England. But they were not intrusted to Wolsey's hands. They were to be read to the King, and then destroyed. The King said they were shown to him, and then "embezzled by the said cardinals." If the bull did really ever exist it was probably destroyed, as no trace of it remains.

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ple, by trying to stir up rebellion. Wolsey had information that he had said, "before the winter was over, he would fling Henry from his throne by means of his own subjects:" a foolish boast which Wolsey took care to make public; and to which the reply was that it had lost the Emperor 100,000 English hearts.

His foolish boast

It was found at length that the critical moment could not be postponed any longer. On May 31, 1529, letters patent were issued under the great seal, giving the legates permission to carry out the Pope's commission: for so jealously were the rights of the Crown always guarded that even in a case like this, where the King and Queen were the persons between whom the cause was to be tried, the Pope's authority could not be set in motion without express license from the King. This being given, the legates opened their court *pro formâ* on the same day in the great hall, or "parliament chamber," of the Black Friars' Palace, and having issued citations to the royal plaintiff and defendant for each to enter an appearance on the 18th of June, they adjourned the court to that day. When the day arrived formal appearances were put in by the proctors of the King and Queen, some preliminary business was transacted, and the court again adjourned to the 21st, when more important events took place.

Royal license to legates to act

Their court opened

Of the proceedings of that eventful day we have an account handed down to us by two eye-witnesses, the one being the King himself, and the other Cavendish, who was in attendance upon Cardinal Wolsey, and who seems never to have attended his master anywhere without casting a shrewd eye over the scene, and listening with all his ears.

"Now, I will set you out," he says, "the manner of the said court. First, there was a court planted with tables and benches in manner of a consistory, one seat raised higher (for the judges to sit in) than the others were. Then in the midst of the said judges, aloft above them three degrees high, was a cloth of estate hanged, with a chair royal under the same, wherein sat the King; and beside him, some distance from him, sat the Queen. And under the judges' feet sat the scribes, and other necessary officers for the execution of the process, and other things appertaining to such a court. The chief scribe was Dr. Stevens, afterward Bishop of Winchester,[1] and the apparitor, who was called Doctor of the Court, was one Cooke, commonly called Cooke of Winchester. Then before the King and the judges, within the court, sat the Archbishop of Canterbury, Dr. Warham, and all the other bishops. Then stood, at both ends within, the counsellors learned in the spiritual laws, as well the King's as the Queen's. The Doctors of Law for the King was Doctor Sampson, that was after Bishop of Chichester, and Doctor Bell, which was after Bishop of Worcester, with divers other; and procurators in the same law, on that side, was Doctor Peter, who was after chief secretary, and Doctor Tregonwell, with divers others. Now, on the other side, there was a counsel for the Queen standing there; that is to say, Doctor Fisher, Bishop of Rochester, and Doctor Standish, Bishop of Saint Asaph, in Wales, two notable divines, and in especial the Bishop of Rochester, a very godly man, for whose death many noble clerks and good men lamented, who lost his head for this cause, ere it was ended, on Tower Hill. There was also another ancient doctor, called Doctor Ridley, a very small person of stature, but surely a great and an excellent clerk in divinity.[2] Thus was the court ordered and furnished."

Henry answers to his name

It must have been a strange sight to witness, this of a great sovereign submitting his cause to an alien judge, and when the crier called "King Henry of England, come into court," answering "here" in recognition of a human judge higher than himself: and one cannot but feel that to serve his own ends the King was lowering the dignity of the Crown of England. When the Queen was called by the crier in the same manner, she returned no answer, but rising from her distant seat, she walked round the court to the front of the King's throne, knelt down, "and said in effect these words, in broken English, as here followeth:"—

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[1] Stephen Gardiner.

[2] The learned man so quaintly described was uncle to Bishop Ridley, who was educated by his care, and at his expense, at three universities. He was a pious and learned man, and consequently reviled by the Puritans.

Catherine will not answer to her name

"Sir," quoth she, "I beseech you to do me justice and right, and take some pity upon me, for I am a poor woman and a stranger, born out of you dominion, having here no indifferent counsel and less assurance of friendship. Alas, Sir, what have I offended you, or what occasion of displeasure have I shewed you intending thus to put me from you after this sort? I take God to my judge, I have been to you a true and an humble wife, ever conformable to your will and pleasure, that never constrained or gainsaid any thing thereof, and being always contented with all things wherein you had any delight or dalliance, whether it were little or much, without grudge or countenance of discontent or displeasure. I loved for your sake all men whom you loved, whether I had cause or no cause; or whether they were my friends or enemies. I have been your wife this twenty years or more and ye have had by me divers children.

but appeals to the King for justice

"And when ye had me at the first, I take God to my judge, that I was a very maid; and whether it be true or no, I put it to your conscience. If there be any just cause that you can allege against me, either of dishonesty or other matter lawful to put me from you, I am content to depart to my shame and rebuke; and if there be none, then I pray you let me have justice at your hands. The king your father was in his time of such an excellent wit, that he was accounted among all men for his wisdom to be a second Solomon. And

declares her right to be his wife

the King of Spain, my father Ferdinand, was reckoned to be one of the wisest princes that reigned in Spain, many years before his days: and so they were both wise men and noble kings. It is not therefore to be doubted, but that they had gathered together as wise counsellors unto them of every realm, as to their wisdoms they thought meet. And as me seemeth, there were in those days as wise and well learned men in both realms as be now at this day, who thought the marriage between you and me good and lawful. Therefore it is a wonder to hear what new inventions are now invented against me, that never intended but honesty. And now to cause me to stand to the order and judgment of this court, it should, as seemeth me, do me much wrong, for ye may condemn me for lack of answer, having no counsel but such as you have assigned me; ye must consider that they cannot be indifferent on my part, when they be your own subjects, and such as ye have taken and chosen out of your own counsel, whereunto they are privy, and dare not disclose your will and intent.

and refuses to take any part in the trial of the cause

"Therefore I humbly desire you, in the way of charity to spare me, until I may know what counsel and advice my friends in Spain will advise me to take. And if you will not, then your pleasure be fulfilled."[3]

All chivalry must have died out of the men of that day if they could listen to the "broken English" of this poor, persecuted, virtuous, and highspirited wife without being moved. She herself was animated by a consciousness of right, and a proud Castilian spirit, which made her quite equal to the occasion. As soon as she had ended her speech, she bowed a low courtesy to the King, and while the spectators were watching her, supposing she would return to her seat, she took the arm of her one attendant, a Mr. Griffith, and went straight out of the court. Observing what she intended to do, the King commanded her to be

Catherine leaves the court

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[3] Cavendish in Wordsw. Eccl. Biog., i. 424.

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called again by the crier, who called once and again, "Catherine, Queen of England, come into court." On this, her attendant said to her, "Madam, you are called again." "On, on," said the Queen, "it makes no matter, this is no impartial court for me, therefore I will not tarry. Go on your way." And so her womanly dignity made her even greater than a queen.

not recognising its authority

Such brave resolution, straightforwardness, and modest self-assertion, probably did touch some of those who were present to the quick, for the King thought it expedient to make a sort of apology for his conduct towards her. "Forasmuch as the Queen is gone," he said, "I will, in her absence, declare unto you all that she hath been to me as true, as obedient, and as conformable a wife as I could wish or desire. She hath all the virtuous qualities that ought to be in a woman of her dignity, or in any other of baser estate. She is also a noble woman born, her conditions will well declare the same." For the moment he seems even proud of her, but it was not the sort of pride that could contend successfully against the showy charms that had now so long enchanted him, and he went on ruthlessly in the course he had marked out for her and for himself.[4]

Henry seems proud of her bearing

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[4] Henry's own account of the transactions of this day is contained in a letter to his ambassadors at Rome, Dr. Benet, Sir Gregory Cassilis, and Mr. Peter Vannes. It is dated June 23, 1529. "Since that time, ensuing the deliberation taken in that behalf, the said Legates, all due Ceremonies first observed, have directed Citations both to us and to the Queen, for our and her appearing before them the 18th day of this month: which appearance was duly on either party kept, performed, and all requisite solemnities accomplished: At which time the Queen trusting more in the power of the Imperialists, than in any justness of her cause, and thinking of likelihood, by frustratory allegations and delays, to tract and put over the matter to her advantage, did protest at the said day, putting in libels, recusatories of the Judges; and also made a Provocation, alledging the cause to be avoked by the Pope's Holiness, *et litis pendentiam coram*

After such a scene, neither the King nor the legates would have desired to go on further with the business in hand at that sitting. But another scene was to take place before they adjourned. Wolsey made that appeal to the King for exculpation from the charge of originating the idea of a divorce, which has already been quoted, and to which the greater part of the King's answer has also been given.[5] In concluding his reply, the King added the following words:—"Wherein after I perceived my conscience so doubtful, I moved it in confession to you, my Lord of Lincoln, then my ghostly father. And forasmuch as then you yourself were in some doubt, you moved me to ask counsel of all you my lords: whereupon I moved it to you, my Lord of Canterbury, first to have your license (insomuch as ye were metropolitan) to put this matter in question; and so I did of you all, my lords, to which all ye granted under all your seals, and that I have here to be showed."

The King exculpates Wolsey

and states the course he had taken in private

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eodem; desiring to be admitted for probation thereof, and to have a term competent for the same. Whereupon day was given by the Judges till the 21st of the same month, for declaration of their minds and intentions thereunto; The Queen in person, and we by our Proctor enjoined to appear the same day, to hear what the said Judges should determine in and upon the same. At which time both we and the Queen appeared in person; and notwithstanding that the said Judges amply and sufficiently declared, as well the sincerity of their minds directly and justly to proceed without favour, dread, affection, or partiality; as also that no such recusation, appellation, or term for proving of *litis pendentiam*, could or might be by them admitted: yet she nevertheless persisting in her former wilfulness, laid in her appeal, which also by the said Judges was likewise recused. And they minding to proceed further in the cause, the Queen would no longer make her abode to hear what the said Judges would fully discern, but incontinently departed out of the court; wherefore she was thrice precognisate, and called eft-soons to return and appear; which she refusing to do, was denounced by the Judges contumax, and a citation decerned for her appearance on Friday next, to make answer to such articles and positions as should be objected unto her." Burnet, iv. 118, Pocock's Ed.

[5] See page 115.

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The Archbishop of Canterbury gave an immediate assent to the King's declaration, and turning to the bishops, added that he had no doubt they would all acknowledge the same. But the good old Fisher, Bishop of Rochester, had always felt, and expressed himself, strongly against the divorce, maintaining that whatever mistake had been made as to the marriage, it could not now be undone. He, therefore, disclaimed at once having any part in the *consensus* to which the King referred. "No, sir, not so under your correction, for you have not mine, no." "Ah!" said the King, "look here, is not this your hand and your seal?" and produced the instrument itself. "No, forsooth," replied the old Bishop. "How say *you* to that?" asked the King, turning to Warham, whose answer was, "Sir, it is his hand and his seal." Fisher's explanation was then given. "No, my Lord. Indeed you were in hand with me to have both my hand and my seal, as other of my lords have done; but then I said again to you I would never consent to any such act, for it was much against my conscience, and therefore my hand and seal shall never be set to any such instrument, God willing: with much more matter touching the same communication between us." The Archbishop confirmed Fisher's words so far. "You say truth," he said, "such words you had unto me; but you were resolved at last that I should subscribe your name and put to your seal myself, and you would allow the same." This again Fisher denied, saying, "All which under your correction, my lord, is not true."[6] And so this unhappy misunderstanding was left, like many others of the same kind, unsettled, for the

Fisher denies ever consenting to the course taken by other bishops

Misunderstanding as to his subscription

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[6] Cavendish in Wordsw. Eccl. Biog., i. 428.

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III
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King declared Fisher was but one man against many, and so the question was not worth arguing: having said which, he left the court, and another adjournment took place.

Doubtful what document the King spoke of

It is not certainly known what instrument it was that the King produced. Some writers have supposed it to be only a license to open the question. Probably when it was found that the bishops would not give an united opinion in favour of the divorce, they were persuaded to give the King their signatures to a document which acknowledged the question to be so doubtful as to need further investigation.[7] Even to this Fisher could not have agreed, for at the next sitting of the legates a personal controversy arose between him and Wolsey, in which he plainly declared "forasmuch as this marriage was joined and made by God to a good intent, I say that I know the truth, and that men cannot break, upon any wilful occasion that which God hath made and constituted." He would not allow that it was an open question, the truth of which no one could decide, but rested on the distinct words of our Lord, "and God saith 'quos Deus conjunxit, homo non separet.'" Dr. Ridley spoke as strongly, and even more boldly, declaring indignantly that the grounds alleged for the divorce were too abominable to be entertained.

Evidence taken as to consummation of Prince Arthur's marriage

The sittings of the court were adjourned from day to day, many documents being given in evidence, and many witnesses examined, the latter being brought forward chiefly for the purpose of disproving the Queen's allegation that she had been a wife in name only to the King's brother Arthur. From the circumstances of the case no evidence could be so good on this point as the word of an honourable and religious woman like Catherine; nor was the evidence of any of the witnesses of such a character as to weigh down her word even had she been otherwise. Meanwhile, the Pope received the formal appeal of the Queen, supported by that of the Emperor, and —his promises to the contrary notwithstanding—he avocated the cause before himself by a brief signed on July 15, 1529. This was not, however, received in England until August 4th, and the court was prorogued (for the vacation customary in Roman courts) on July 23d, not to sit again until October 1st.[8]

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[7] Burnet, iii. 108, Pocock's Ed.

The court adjourned for the Roman vacation

Campeggio's dissimulation

There is some foundation for supposing that Campeggio was aware of the coming avocation of the cause all the while he was professing to hold the court, and that the whole proceeding was a device to gain time. Wolsey had thrown the responsibility of the business as much as he could on his brother legate, and seems never to have taken an active part as long as the court was sitting. He was placed in a most painful and difficult position; for whatever may have been his opinion respecting the matter under examination, it is certain that he was extremely averse to what he foresaw would be the termination of their sittings; and his position as a judge was extremely hampered by his position as the chief adviser and minister of the King; for Henry's ideas of justice were not of a kind that prevented him from trying to overawe his judges. Cavendish relates that "at a certain day of their session the King sent for my Lord Cardinal to come to him to

Wolsey avoided responsibility of the case

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[8] Cardinal Campeggio considered himself bound to observe this custom strictly.

Bridewell; who to accomplish his commandment went to him, and being there with him in communication in his privy chamber from eleven until twelve of the clock at noon and past, my Lord departed from the King, and took his barge at the Blackfriars, and went to his house at Westminster. The Bishop of Carlisle being in his barge at that time said unto him (winding[9] of his face), 'It is a very hot day.' 'Yea, my Lord,' quoth the Cardinal, 'if ye had been as well chafed as I have been within this hour, ye would say it were very hot.'"[1] The same day he told Lord Wiltshire, the father of Anne Boleyn, "'Ye, and other, my Lords of the Council, are not a little misadvised to put any such fantasy into the King's head, whereby you do trouble all the realm: and at length get you small thanks for your labours, both of God and the world;' with many other vehement words and reasons, which caused my Lord of Wiltshire to weep." Gardiner wrote to the ambassadors at Rome on June 25th, that if the avocation was issued it would utterly ruin the Cardinal, and alienate both King and nobles from the Holy See.[2]

Was abused by the King

His prophetic words to Boleyn

On the day of the adjournment for the vacation, the King himself was again present. Campeggio caused the records of all their proceedings to be read over, and then declared that the cause was so doubtful in itself, and had been so much further embarrassed by the defendant's contumacy, and her appeal to the Pope, that he would not act in it any further until he had consulted his Holiness; and that therefore he adjourned the further hearing, according to the custom of the "rota," or consistory of Rome, until the day already mentioned. He was also careful to say that he would not speak for favour or dread of any person alive, be he king or otherwise: he was an old man, both weak and sickly, looking daily for death, and he would not endanger his soul for any prince or high estate in the world.[3] Thus ended the proceedings of this strange court, for the Pope's avocation of the cause put an end to its jurisdiction. It was dissolved before the day appointed for its next session had arrived, and shortly afterwards Cardinal Campeggio returned to Rome.

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[9] "Fanning."

[1] Cavend. in Wordsw. Eccl. Biog., i. 430.

[2] Ellis' Orig. Lett., III. ii. 158.

The court finally dissolved, the cause being recalled to Rome

From this time there was no friendly communication between Henry and the Pope on this subject. He had already threatened several times that if his case was not settled by the Pope, he would find some other way of obtaining a decision that would justify him in dissolving his union with Catherine, and seems, when making the threat, to have had in view that reference to the Universities which had been suggested two years before, and to obtain the opinions of which active measures were now taken, by sending agents first to the Continent and afterwards to Oxford and Cambridge.

The continental universities consulted

It would appear that the King's plan at first was to get the subscriptions of individual members of the Universities to an opinion on the question, "Whether marriage with a brother's widow is forbidden by the law of God, and whether the Pope has authority to give a dispensation for such a marriage." Dr. Croke, tutor to the Duke of Richmond,[4] was sent into Italy for this purpose, being directed to obtain opinions on the question in its abstract form, without appearing to be engaged on behalf of the King. He was furnished with large sums of money, and from his correspondence (which is still preserved among the MSS. of the British Museum) it appears that he distributed these to the persons who subscribed the opinion in a manner which cannot justly be described otherwise than as bribery. He visited Venice, Padua, Bologna, Milan, Vicenza, Naples, Ferrara, and Rome, sometimes passing under the pseudonym of Johannes Flandriensis, and incurring some danger from the suspicions which his mission excited.[5] His success with individual divines encouraged the development of the plan into that originally suggested by Dr. Wakefield, and by the bishops; and while Croke was authorized to consult the Italian universities, other agents were sent to do the same in France and Germany, Cranmer and Dr. Barnes being of the number.

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[3] It is lamentable to find Burnet writing of Campeggio that "He led at this time a very dissolute life in England, hunting and gaming all the day long, and following whores all the night." [Burnet, i. 124.] On January 10, 1528, Dr. Knight had written to Wolsey the names of all the cardinals then near the Pope, and mentions first "The Cardinal Campegius continueth in Rome, *sore vexed with the gout;*" and in one of King Henry's letters to Anne Boleyn, he speaks of "the unfeigned sickness of this well-willing legate." Erasmus had a great respect for him.

and paid for their opinions

The Pope's first step in direct opposition

Meanwhile the Pope had advanced one step further, by issuing an inhibition, signed March 7, 1530, by which Henry was interdicted from marrying while his divorce from Catherine was yet under adjudication, or from associating with any woman under pretext of marriage having been celebrated

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[4] His name was Croke, *alias* Blunt, and he belonged to a branch of the same family of which the Duke of Richmond's mother was a member. He was the greatest Greek scholar of his age at Cambridge, a friend of Erasmus, and a very unprincipled man.

[5] Burnet says that "In all Croke sent over by Stokesley an hundred several books, papers, and subscriptions, and there were many hands subscribed to many of these papers."

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between them before the inhibition was issued. This document does not appear to have been sent officially into England, but was considered to be legally exhibited by being affixed to the doors of the cathedrals of Bruges, Tournay, and Dunkirk; the King having issued a proclamation that no decree from Rome should be published, or even received, by any of his subjects; open hostility being thus declared on both sides.

Oxford and Cambridge sounded

The favourable opinions of foreign divines being communicated to the King, he entertained sanguine expectations of receiving the support of the Universities as corporate bodies. Croke had already sounded Oxford doctors on the subject,[6] and Cranmer had done the same at Cambridge;[7] and there were hopes that by judicious pressure of "influence" in some quarters, direct patronage and money payments in others, both foreign and English universities might be brought to contribute official support to the King's views.

Lords and Commons support the King

At the same time Parliament was being tuned to a like unison with the King's opinions, although no direct communication had yet been made to that august assembly on the subject. On July 13, 1530, a large body of Lords and Commons were persuaded to sign, outside the walls of Parliament, the following extraordinary petition to the Pope, the signature of Wolsey (now no longer in power) appearing among the rest:[8]—

"To the most holy Lord, our Lord and Father in Christ,

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[6] Ellis' Orig. Letters, III. ii. 197.

[7] Nichol's Narr. of Reform., 242.

[8] The petition was signed by the two archbishops, four bishops, two dukes, two marquesses, thirteen earls, twenty-five barons, twenty-two abbots, with eleven commoners and divines—eighty-one in all! For the original Latin see Collier, ix. 86.

Clement, by Divine Providence the seventh of that name, we desire perpetual happiness in our Lord Jesus Christ.

Danger to kingdom from want of heir to throne

Justice of King's cause

"Most blessed Father, albeit the cause concerning the marriage of the most invincible Prince, our Sovereign Lord, the King of England and of France, Defender of the Faith, and Lord of Ireland, does for sundry great and weighty reasons require and demand the aid of your Holiness, that it may be brought to that brief end and determination which we with so great and earnest desire have expected, and which we have been contented hitherto to expect though so far vainly, at your Holiness's hands; we have been unable nevertheless, to keep longer silence herein, seeing that this kingdom and the affairs of it are brought into so high peril through the unseasonable delay of sentence. His Majesty who is our head, and by consequence the life of us all, and we through him as subject members by a just union annexed to the head have with great earnestness entreated your Holiness for judgment; we have however entreated in vain: we are by the greatness of our grief therefore forced separately and distinctly by these our letters most humbly to demand a speedy determination. There ought, indeed, to have been no need of this request on our part. The justice of the cause itself, approved to be just by the sentence of so many learned men, by the suffrage of the most famous universities in England, France, and Italy, should have sufficed alone to have induced your Holiness to confirm the sentence given by others; especially when the interests of a king and kingdom are at stake, which in so many ways have deserved well of the apostolic see. This we say ought to have been motive sufficient with you without need of petition on our part; and if we had added our entreaties, it should have been but as men yielding to a causeless anxiety, and wasting words for which there was no occasion. Since however, neither the merit of the cause nor the recollection of the benefits which you have received, nor the assiduous and diligent supplications of our prince, have availed any thing with your Holiness; since we cannot obtain from you what it is your duty as a Father to grant; the load of our grief increased as it is beyond measure by the remembrance of the past miseries and calamities which have befallen this

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nation, makes vocal every member of our commonwealth, and compels us by word and letter to utter our complaints. For what a misfortune is this,—that a sentence which our own two universities, which the University of Paris, and many other universities in France, which men of the highest learning and probity everywhere, at home and abroad are ready to defend with word and pen, that such sentence, we say, cannot be obtained from the apostolic see, by a prince to whom that see owes its present existence. Amidst the attacks of so many and so powerful enemies, the King of England ever has stood by that see with sword and pen, with voiçe and with authority. Yet he alone is to reap no benefit from his labours. He has saved the papacy from ruin, that others might enjoy the fruits of the life which he has preserved for it. We see not what answer can be made to this; and meanwhile we perceive a flood of miseries impending over the commonwealth threatening to bring back upon us the ancient controversy on the succession which had been extinguished only with so much blood and slaughter. We have now a king most eminent for his virtues, and reigning by unchallenged title, who will secure assured tranquillity to the realm if he leaves a son born of his body to succeed him. The sole hope that such a son may be born to him lies in the being found for him some lawful marriage into which he may enter; and to such marriage the only obstacle lies with your Holiness. It cannot be until you shall confirm the sentence of so many learned men on the character of his former connexion. This if you will not do, if you who ought to be our father have determined to leave us orphans, and to treat us as castaways, we shall interpret such conduct to mean only that we are left to care for ourselves, and to seek our remedy elsewhere. We do not desire to be driven to this extremity, and therefore we beseech your Holiness without further delay to assist his Majesty's just and reasonable desires. We entreat you to confirm the judgment of these learned men; and for the sake of that love and fatherly affection which your office requires you to show towards us, not to close your bowels of compassion against us, your most dutiful, most loving, most obedient children. The cause of his Majesty is the cause of each of ourselves; the

The King's services to the Pope urged

Threat of departing from the Pope's obedience head cannot suffer but the members must bear a part. We have all common share in the pain and in the injury; and as the remedy is wholly in the power of your Holiness so does the duty of your fatherly office require you to administer it. If, however your Holiness will not do this, or if you choose longer to delay to do it, our condition hitherto will have been so much the more wretched, that we have so long laboured fruitlessly and in vain. But it will not be wholly irremediable; extreme remedies are ever harsh of application; but he that is sick will by any means be rid of his distemper; and there is hope in the exchange of miseries, when, if we cannot obtain what is good we may obtain a lesser evil, and trust that time may enable us to endure it.

Remedies elsewhere than at Rome

"These things we beseech your Holiness, in the name of our Lord Jesus Christ, to consider with yourself. You profess that on earth you are His vicar. Endeavour then, to show yourself so to be, by pronouncing your sentence to the glory and praise of God, and giving your sanction to that truth which has been examined, approved, and after much deliberation confirmed by the most learned men of all nations. We meanwhile will pray the all-good God, whom we know by most sure testimony to be truth itself, that He will deign so to inform and direct the counsels of your Holiness, that we, obtaining by your authority what is holy, just and true, may be spared from seeking it by other more painful methods."[9]

The Pope calmly dismisses the petition

The Pope answered this appeal to his compassion and his fears on September 27, 1530. He blamed the tone of the document, justified himself as acting according to law and conscience, said the opinions of the universities had not come officially before him, expressed his wishes for a settled succession, and ended by setting it aside with characteristic calmness. It was with a touch of satire that his final words expressed a doubt whether so good and beneficent a king as Henry could have known of the remonstrance which they had forwarded to him, and which, he felt sure, would be read by His Majesty with regret.[1]

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[9] In 1533, a minute of council was made for a letter of a similar kind to the above to be set forth, in which Parliament was to declare to the Pope the wrongs which he had done to England; but a marginal note in Cromwell's writing says that this cannot be done until Parliament meets.

Wolsey's foresight of his own danger

And now the scene closes upon one who had been unwillingly, yet of necessity, mixed up with nearly all the steps of this painful business; for on November 29, 1530, England saw the last of her greatest statesman. He had long foreseen the personal danger into which the transactions connected with the divorce were leading him; and had, apparently, little hope of surmounting them. In his last days, Wolsey expressed his conviction to Sir William Kingston, that Henry would endanger one half of his kingdom rather than miss any part of his will. "I do assure you," were among his dying words, "I have often kneeled before him, sometimes three hours together, to persuade him from his will and appetite, but could not prevail." It had been the Cardinal's earliest wish to make, for the good of the nation, the wisest and least unjust settlement that could be made of that miserable business, to guide the Church into a safe road of reformation, and then laying aside his greatness and his worldly cares, to retire into the peaceful rest of some monastic house. But the course of events passed beyond his control, and the ambitious courtesan who now ruled the King had been too strong for him. She had come to consider Wolsey as the cause of all the delay which had occurred in promoting her from the King's arms to his throne; and with unscrupulous tact she gave the impetus to that rapid descent of the great

What he had most desired

Thwarted by Anne Boleyn

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[1] Collier, ix. 89.

minister, which, but for the kindly hand of mortal sickness, would have ended only at the block.

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The official opinions of the foreign universities were received in England during the summer of this year, and being collected together were published in a small volume, with an appendix which summed up the arguments used against the validity of the marriage and in favour of the divorce. In the following session of Parliament [January 16–March 30, 1530-1] this book was read in the House of Lords and Commons with as much ceremony as if it had been a king's speech, and Sir Thomas More, the Lord Chancellor, exhorted both Lords and Commons to go down to their several counties and report what they had heard and seen. This was, doubtless, the most effective way, except the pulpit, of tuning public opinion in days when newspapers did not yet exist.

Foreign opinions read in Parliament

In these days it would seem absurd to most Englishmen, that their sovereign should profess to guide his conduct in any degree by the opinions of foreign universities, but no one seems to have thought it so then; nor does it appear that a single smile was caused by the production of these opinions in solemn form by the Lord Chancellor and twelve other lords, spiritual and temporal, before the House of Commons, for the information of their country constituents. Ridiculous, however, as such a proceeding seems to us, it initiated a practice which was very important and mischievous in its effects during the succeeding half century. Englishmen got into a habit of looking abroad for their opinions instead of thinking them out at home; and deference to foreign thinkers went far towards changing the

A bad precedent established

Reformation of the Church of England into its destruction.

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These opinions of no real importance

It is of very little importance to us, historically or otherwise, what were the opinions or alleged opinions of these foreign universities as to marriage with a brother's widow. Had they been given unanimously and without pressure we should have scarcely any means of judging of their value, because we know so little as to the character of the bodies by which they were given. But they were in reality given under the influence of circumstances which make them utterly worthless. Fear, faction, and bribery, were the controlling powers by which these opinions were extracted; and sometimes, as in the Sorbonne, the best men declined to have anything to do with the question, while a small majority was secured after several days' discussion by the use of strong external pressure on the part of the crown.

Opinions of English Universities

It appears much more reasonable that Henry should have sent to Oxford and Cambridge to ask their opinions on the subject; but in both universities the same kind of manipulation was used as had been used abroad, and with very similar consequences.

Cambridge easily managed

Cambridge was the first to yield under the pressure from above, its grace being passed on March 9, 1530. But Cambridge gave little trouble, having been treated to the process of manipulation for some time previously, and having not a few within its colleges who had begun to take a side in respect to the new learning, and looked to the King's new favourite as its future patroness. Latimer was the leader of the latter party, and Cranmer was associated with Gardiner and Fox in bringing the University round to the desired opinion. In the previous year Cranmer had, by some means,[2] been introduced to the King's notice, and had been commissioned to write an argument in favour of the divorce, which he did in the house of Lord Wiltshire, the father of the lady who was to profit by it.[3] "And when Dr. Cranmer had accomplished the King's request in this behalf, he, with the secretary and almoner, and other learned men, had in commission to dispute that cause in question at both the Universities of Cambridge and Oxford; which being first attempted at Cambridge, Dr. Cranmer by his authority and persuasion brought six or seven learned men in one day of the contrary part and opinion on his part."[4] Such is the account given by Morice, Archbishop Cranmer's secretary in later days. Another contemporary biographer also mentions the same fact, and states that his zeal in thus converting Cambridge doctors brought him under Gardiner's notice, and that he was then introduced by Gardiner to the King.[5]

Cranmer comes into notice

Brought forward by Gardiner

It was a soil thus prepared beforehand that Gardiner and Fox had to cultivate further for the

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[2] The groundlessness of the usual story has been shown before, at page 129.

[3] A letter is extant from Cranmer to the Earl of Wiltshire, in which he gives the latter a summary of Pole's book against the divorce. See Jenkyns' Cranmer, i. 1. His book on the divorce is entitled by Bale "De non ducende Fratrici," and the substance of it is supposed to form the introduction to the book of the Determinations of the Universities. Some have identified it with the article "Gravissimæ . . . censuræ," at p. 1133 of Ames' Typographical History.

[4] Nichol's Narratives of the Reformation, p. 242.

[5] Ibid., p. 220. The dates at which the universities signed these several determinations are as follows:—

Cambridge, ...	March 9, 1530.
Orleans, ...	April 5, 1530.
Oxford, ...	April 8, 1530.
Angers, ...	May 7, 1530.
Paris (Canon Law faculty),	May 23, 1530.
Bourges, ...	June 10, 1530.
Bologna, ...	June 10, 1530.
Padua, ...	July 1, 1530.
Paris (Divinity faculty, or Sorbonne), . .	July 2, 1530.
Toulouse, ...	Oct. 1, 1530.

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production of an actual grace of the senate. It so happens that an interesting letter has been preserved which tells us exactly how they went to work; and puts into our possession a life-like picture of the Cambridge Senate on a Sunday and Monday in February 1529-30. The letter was written to the King, and is as follows :—

Gardiner and Fox at Cambridge

"Pleaseth it your Highness to be advertised, That arriving here at Cambridge upon Saturday last past at noon, that same night, and Sunday in the morning, we devised with the Vice Chancellor, and such other as favoureth your Grace's cause, how and in what sort to compass and attain your Grace's purpose and intent: wherein we assure your Grace, we found much towardness, good will, and diligence, in the Vice-Chancellor and Dr. Edmunds, being as studious to serve your Grace as we could wish or desire: Nevertheless there was not so much care, labour, study, and diligence employed on our party, by them, ourself, and other, for attaining your Grace's purpose, but there was as much done by others for the lett and empeachment of the same; and as we assembled, they assembled, as we made friends they made friends, to lett that nothing should pass as in the Universities name; wherein the first day they were superiors, for they had put in the ears of them, by whose voices such things do pass, *multas fabulas,* too tedious to write unto your Grace. Upon Sunday at afternoon were assembled, after the manner of the University, all the Doctors, Bachelors of Divinity, and Masters of Arts, being in number almost two hundred: In that congregation we delivered your Grace's Letters, which were read openly by the Vice-Chancellor.

Question put before the Senate

And for answer to be made unto them, first the Vice-Chancellor calling apart the doctors, asked their advice and opinion; whereunto they answered severally, as their affections led them, *et res erat in multa confusione. Tandem* they were content Answer should be made to the questions by indifferent men: But then they came to Exceptions against the Abbot of St. Benets, who seemed to come for that purpose; and likewise against Dr. Reppes, and Dr. Crome; and also generally against all such as had allowed Dr. Cranmer's book, inasmuch as already they had declared their opinion. We said thereunto, That by that reason they might except against all; for it was lightly, that in a question so notable as this is, every man learned hath said to his friend as he thinketh in it for the time; but we ought not to judge of any man, that he setteth more to defend that which he hath once said, than truth afterward known. Finally the Vice-Chancellor, because the day was much spent in those altercations, commanding every man to resort to his seat apart, as the manner is in those assemblies, willed every man's mind to be known secretly, whether they would be content with such an Order as he had conceived for answer to be made by the University to your Grace's Letters; whereunto that night they would in no wise agree. And forasmuch as it was then dark night, the Vice-Chancellor continued the Congregation till the next day at one of the clock; at which time the Vice-Chancellor proponed a Grace after the form herein closed; and, it was first denied: When it was asked again, it was even on both parties, to be denied or granted; and at last, by labour of friends to cause some to depart the house which were against it, it was obtained in such form as the Schedule herein enclosed purporteth; wherein be two points which we would have left out; but considering by putting in of them, we allured many, and that indeed they shall not hurt the Determination for your Grace's part, we were finally content therewith. The one point is that where it was first, that *quicquid major pars* of them that be named *decreverit*, should be taken for the Determination of the University. Now it referred *ad duas partes*, wherein we suppose shall be no difficulty. The other point is, That your Grace's question shall be openly disputed, which we think to be very honourable; and it is agreed amongst us, That in that disputation shall answer the Abbot of St. Benet's, Dr. Reppes, and I, and Mr. Fox, to all such as will object any thing or reason against the conclusion to be sustained for your Grace's part. And because Mr. Doctor Clyffe hath said that he has somewhat to say concerning the Canon Law, I, your Secretary, shall be adjoined unto them for answer to be made therein.

Senate adjourned till next day

A disputation to be held

"In the schedule which we send unto your Grace herewith, containing the names of those who shall determine your Grace's question, all marked with A. be already of your Grace's opinion; by which we trust, and with other good means, to induce and attain a great part of the rest. Thus we beseech Almighty God to preserve your most noble and royal estate. From Cambridge, the day of February.—Your Highness' most humble subjects and servants,[6]

"STEPHEN GARDINER,
"EDWARD FOXE."

A majority secured

The result of this good management was, that in about a fortnight the delegates came to an agreement,—or as many of them as were sufficient to make the necessary two-thirds,—and passed "determination," which was sent to the King by Dr. Buckmaster, the vice-chancellor, in the name of the whole University.[7] The learned man went prepared with

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[6] Burnet, iv. 132, Pocock's Ed. The grace obtained for these delegates is given thus by Gardiner:—"Placet vobis ut [A] Vicecancellarius; *Doctores*, [A] Salcot, the Abbot of St. Benet's, Watson, [A] Reps, Tomson, Venetus, *de isto bene speratur;* [A] Edmunds, Downes, [A] Crome, [A] Wygan, [A] Boston. *Magistri in Theologia*, Myddelton, [A] Heynes, Mylsent, *de isto bene speratur;* [A] Shaxton, [A] Latimer, [A] Simon, Longford, *de isto bene speratur;* Thyxtel, Nicols, Hutton, [A] Skip, [A] Goodrich, [A] Heth, Hadwey, *de isto bene speratur;* Dey, Bayne, [AA] Duo Procuratores.

"Habeant plenam facultatem et Auctoritatem, nomine totius Universitatis, respondendi Literis Regiæ Majestatis in hac Congregatione lectis, ac nomine totius Universitatis definiendi et determinandi quæstionem in dictis literis propositam: ita quod quicquid duæ partes eorum præsentium inter se decreverint, respondendi dictis literis, et definierint ac determinaverint super quæstione proposita, in iisdem habeatur, et reputetur pro responsione, definitione et determinatione totius Universitatis, et quod liceat Vicecancellario, Procuratoribus et Scrutatoribus, literis super dictarum duarum partium definitione et determinatione concipienda sigillum commune Universitatis apponere: sic quod disputetur quæstio publice et antea legatur coram Universitate absque ulteriori gratia desuper petenda aut obtinenda.

"Your Highness may perceive by the notes, that we be already sure of as many as be requisite, wanting only three; and we have good hope of four; of which four if we get two, and obtain of another to be absent, it is sufficient for our purpose."

[7] The "determination" of Cam-

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a speech, which he has left to posterity among the MSS. of Corpus Christi College, but he appears not to have been very happy during the one Sunday afternoon that he spent at Court: and the King evidently supposed that he, at least, had given his support unwillingly, although Gardiner *had* marked his name with the favourable "A." Of the manner in which he was received, and of his impressions respecting the Court, he has left also an amusing account, in a letter which he wrote to Dr. Edmonds, vicar of Alborne, in Wiltshire:—

The determination sent to the King

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bridge is as follows:—"Nos Universitas studentium Academiæ Cantabrigiensis, omnibus infra scripta lecturis auditurisve salutem. Cum occasione causæ Matrimonialis, inter Invictissimum et Potentissimum Principem et Dominum nostrum Henricum octavum Dei gratia Angliæ Franciæque Regem, Fidei Defensorem, ac Dominum Hiberniæ, et Illustrissimam Dominam Catharinam Reginam controversæ de illa quæstione nostra rogaretur sententia: videlicet, An sit jure Divino et naturali prohibitum, ne Frater ducat in uxorem Relictam fratris mortui sine liberis? Nos de ea re deliberaturi more solito convenientes; atque communicatis consiliis, matura consultatione tractantes quo modo, quo ordine ad investigationem veritatis certius procederetur, ac omnium tandem suffragiis, selectis quibusdam ex doctissimis Sacræ Theologiæ Professoribus, Bachalauriis, ac aliis Magistris ea cura demandata, ut scrutatis diligentissime Sacræ Scripturæ locis, illisque collatis referrent ac renunciarent, quid ipsi dictæ quæstioni respondendum putarent. Quoniam auditis, perpensis, ac post publicam super dicta quæstione disputationem matura deliberatione discussis hiis, quæ in quæstione prædicta alterutram partem statuere et convellere possint; Illa nobis probabiliora, validiora, veriora, etiam et certiora, ac genuinum et syncerum Sacræ Scripturæ intellectum præ se ferentia, Interpretum etiam sententiis magis consona visa sunt, quæ confirmant et probant, jure divino et naturali prohibitum esse, ne Frater uxorem fratris mortui sine liberis accipiat in conjugem: Illis igitur persuasi, et in unam opinionem convenientes, ad quæstionem prædictam ita respondendum decrevimus, et in hiis scriptis, nomine totius universitatis respondemus, ac pro conclusione nobis solidissimis rationibus et validissimis argumentis comprobata affirmamus, quod ducere uxorem fratris mortui sine liberis, cognitam à priori viro per carnalem copulam, nobis Christianis hodie est prohibitum Jure Divino ac naturali. Atque in fidem et testimonium hujusmodi nostræ responsionis et affirmationis, hiis Literis sigillum nostrum commune curavimus apponi. Datum in congregatione nostra Cantabrigiæ, die nono Martii Anno Domini Millesimo quingentesimo vicesimo nono." Lamb's Corpus Christi Documents, p. 21.

"My duty remembered, I heartily commend me unto you, and I let you understand that *Dominica Secunda*[8] at afternoon I came to Windsor, and also to part of Mr. Latimer's sermon: and after the end of the same I spake with Mr. Secretary and also with Mr. Provost; and so after Evensong I delivered our letters in the Chamber of Presence, all the court beholding. The King with Mr. Secretary did there read them, but not the letters of determination, notwithstanding that I did there also deliver them, with a proposition. His Highness gave me there great thanks, and talked with me a good while. He much lauded our wisdoms and good conveyance in the matter, with the great quietness in the same. He shewed me also what he had in his hands for our university, according unto that that Mr Secretary did express unto us, &c. So he departed. But by and by, he greatly praised Mr. Latimer's Sermon, and in so praising said on this wise, This displeaseth greatly, Mr. Vicechancellor yonder. You same, said he unto the Duke of Norfolk, is Mr. Vicechancellor of Cambridge, and so pointed unto me. Then he spake secretly unto the Duke, which after the King's departure came unto me, and welcomed me, saying amongst other things, that the King would speak with me on the next day. And here is the first act. On the next day, I waited until it was dinner time; and so at the last Dr. Butts came unto me, and brought a reward, twenty Nobles for me, and five Marks for the younger Proctor, which was with me; saying that I should take that for a resolute answer, and that I might depart from the Court, when I would. Then came Mr. Provost, and when I had shewed him of our answer, he said, I should speak with the King at after Dinner for all that, and so brought me into a privy place, where as he would have me to wait at after Dinner. I came thither and he both, and by one of the clock, the King entered in. It was in a Gallery. There were Mr. Secretary, Mr. Provost, Mr. Latimer, Mr. Proctor, and I, and no more: The King there talked with us, until five of the clock. I assure you, he was scarce contented with Mr. Secretary and Mr. Provost, that this was not also determined, *An Papa possit dispensare*, &c. I made the best, and confirmed the same that

Dr. Buckmaster before the King

Royal sarcasms

A second interview

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[8] Second Sunday in Lent.

they had shewed his Grace before, and how it would never have been so obtained. He opened his mind, saying, that he would have it determined after Easter, and of the same we counsailed a while.

"I pray you therefore study for us, for our business is not yet at an end, *An Papa potest dispensare cum Jure Divino*, &c. Much other communication we had, which were too long here to recite. Thus his Highness departed, casting a little holy water of the court: and I shortly after took my leave of Mr. Secretary and Mr. Provost, with whom I did not drink, nor yet was bidden: and on the morrow departed from thence, thinking more than I did say, and being glad that I was out of the Court, where many men as I did both hear and perceive, did wonder on me. And here shall be an end for this time of this fable.

The University generally censured

"All the world almost crieth out of Cambridge for this act, and specially on me, but I must bear it as well as I may. I have lost a benefice by it, which I should have had within this ten days. For there hath one fallen in Mr. Throckmorton's gift, which he hath faithfully promised unto me many a time, but now his mind is turned and alienate from me. If ye go to the Court after Easter, I pray you have me in remembrance there as ye shall think best. But of this no more. . . . Mr. Latimer preacheth still, *Quod æmuli ejus graviter ferunt*. I am informed that Oxford hath now elected certain persons to determine the King's question. I hear say also that Mr. Provost was here in great jeopardy. Other tidings I have none at this time, but that all the company be in good health, and heartily saluteth you. And thus fare you heartily well. At Cambridge, *in Crastino Dominicæ Palmarum*. Your own to his power,

"WILLIAM BUCKMASTER.

"The King willed me to send unto you, and to give you word of his pleasure in the said question."[9]

From this letter it would appear that the King required another "determination" to be obtained, but there is no record of any further steps being taken on the question at Cambridge.

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[9] Lamb's Corpus Christi Documents, p. 23.

Question submitted to Oxford

with a letter from the King

enjoining all to vote as he wished them

At the other University there was much more difficulty in obtaining a satisfactory verdict. Oxford, especially young Oxford, was giving, in fact, as much trouble as it could, and made a bold struggle for freedom and the rights of conscience. Warham, who was chancellor of the University, had laid before it, by direction of the King, the same question which had been submitted to the rest; but so little was done in the matter, that Dr. Bell, and Longland, the King's confessor, and Bishop of Lincoln (in which diocese Oxford was then included), were sent up there with a letter from Henry himself. This epistle stated, that having "consulted many and substantial well-learned men within our realm and without, for certain considerations our conscience moving," he thought it convenient "to feel the minds" of those who were erudite in the faculty of divinity at Oxford. Much was said about the virtue of not leaning to "wilful and sinister opinions," and about the filial duty that was owing by the University to so good a King, and how great things might be hoped for the University from his favour. All this was, of course, intended to bias the minds of members of convocation: but, in addition, a significant warning was added,—"In case you do not uprightly according to Divine learning hand yourselves herein, ye may be assured that we, not without great cause, shall so quickly and sharply look to your unnatural misdemeanour herein, that it shall not be to your quietness and ease hereafter." It was also added, that those who accommodated themselves to the mere truth, *as it became true subjects to do,* should be "esteemed and set forth," while those who saw truth without this qualifying medium, should be "neglected and little set by."

Such a letter was calculated to produce a definite result. There were some who were likely to be influenced by the gratitude which remembers the past: many more by the gratitude which looks forward to the future. Among the doctors of divinity of mature standing, there was a clear filial majority for the King. Expectant bishops and deans were all ready to vote in the sunshine: and those who walked boldly to the shady side of the convocation house, were all either divines with inconvenient consciences, or those troublesome masters of arts who would persist in thinking for themselves. It being evident that there was so large a majority for truth which was of the "unnatural misdemeanour" kind, it was thought better for the convocation to break up without coming to a vote. This led the King to write once more to his "trusty and well-beloved," but not very docile, University. In this second epistle he calls the malcontents the "youth" of the University, and charges them with contentious factions and manner, daily combining together, neither regarding their duty to us their Sovereign Lord, nor yet conforming themselves to the opinions and orders of the virtuous, wise, sage, and profound learned men of that University." These youths, the masters of arts, were wilfully striking upon the opinion to have a great number of regents and non-regents associated in convocation with the divines, and the King regards it as an unheard of thing, that men of right small learning should thus stay their seniors,—

A minority only conformable

The King scolds youthful M.A.'s

> "Which as we think should be no small dishonour to our University there, but most especially to you the Seniors and Rulers of the same, assuring you that this their unnatural

trusts the elders will bring them round

and unkind demeanour is not only right much to our displeasure, but much to be marvelled of, upon what ground and occasion they being our mere subjects, should shew themselves more unkind and wilful in this matter, than all other Universities, both in this and all other regions do. Finally, We trusting in the dexterity and wisdom of you and other the said discreet and substantial learned men of that University, be in perfect hope, that ye will conduce and frame the said young persons unto good order and conformity, as it becometh you to do. Wherefore we be desirous to hear with incontinent diligence, and doubt you not we shall regard the demeanour of every one of the University, according to their merits and deserts. And if the youth of the University will play masteries, as they begin to do, We doubt not but that they shall well perceive, that *non est bonum irritare Crabrones.*"

writes a third letter

Young Oxford was proof, however, even against the royal threat of a plague of hornets, and further measures had to be taken. So that the King wrote a third letter, and sent it by the hands of one who had already been found useful in manipulating the Cambridge senate.

and urges the good example set by Cambridge

In this third letter the King reproaches the "young persons" with ingratitude, and sets before them the excellent example of compliance shown by the sister University: "Our University of Cambridge hath within far shorter time not only agreed upon the fashion and manner to make answer to us effectually, and with diligence following the same, but hath also eight days since sent unto us their answer under common seal, plainly determining, Prohibitionem esse Divini et naturalis juris, nè frater Uxorem fratris etiam mortui sine liberis ducat Uxorem." But unwilling to show his displeasure at present, he has sent them his trusty and right well-beloved clerk and counsellor, Mr. Edward Fox,

Victory of the seniors

Zeal and diplomacy

trusting that the "heads" and "rulers" will "so order and accommodate the fashion and passing," &c., &c., "as that the number of the private suffrages given without reason prevail not against the heads, rulers, and sage fathers to the detriment, hindrance, and inconvenience of the whole." Under the guidance of so experienced a diplomatist,[1] the heads of houses succeeded, thus saving themselves and the other "seniors" from the anguish of appearing to possess any fragment of a corporate conscience which dissented from that of the reigning powers. By a clever manœuvre convocation was called together late in the evening of a tempestuous day, so that its meeting was known to few. Here and there a zealous and wakeful master of arts discovered the ruse, and one fellow of Balliol, in the haste of his zeal, was seen rushing through Broad Street and the Turl with a pair of scarlet breeches round his neck instead of his hood. But zeal cannot stand against diplomacy, and the question was at last decided by the votes of thirty-three doctors and bachelors of divinity in such a manner as to satisfy the King.[2]

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[1] State Papers, i. 377.

[2] The following is the decree, or Act of Convocation, as given by Anthony Wood, in Antiq. Oxon., p. 255:—"Omnibus fidelibus ad quos scriptum præsens pervenerit, Nos, universitas doctorum et magistrorum, tam regentium quam non regentium, omnium et singularun facultatum, almæ universitatis Oxon, salutem in eo qui est vera salus. Professionis nostræ debitum, pariter et Christianæ charitatis officium, illud a nobis efflagitat, ut parati ac faciles semper simus de nostræ cognitionis luce aliis libenter impartiri et satisfacere omni poscenti de eâ quæ in nobis est fide, doctrinâ et scientiâ. Cum igitur nos sæpius rogati, et requisiti sumus, ut an nobis jure divino, pariter ac naturali, prohibitum videretur, ne quis Christianus relictam fratris sui morientis sine liberis duceret uxorem, nostram sententiam explicaremus: quoniam examinatis et discussis, cum omni fide, diligentiâ, et sinceritate, sacræ scripturæ locis, et sanctorum patrum sententiis ac interpretationibus, quæ ad eruendam in hac quæstione veritatem facere et pertinere judicavimus, tum etiam audita gravissimorum et eruditissimorum doctorum, et baccalaureorum sacræ theologiæ, quibus illud negotii

What would have been the result if any other sort of "mere truth" than that which he wished for had been incorporated in the Act of Convocation it is not difficult to conjecture, and the politic prudence of the minority probably saved the University of Oxford from a wholesale confiscation.

Thus ended that singular episode of the divorce business, — the consultation of the Universities. Opinions were ostensibly given by about half the learned bodies of Europe in favour of Henry's wishes,[3] and some on the opposite side. But the former were extracted in a manner which takes away from any weight they might possess if they had been given freely; and, so far as those published by the King are concerned, they are little better than sonorous echoes of his strongly declared pre-judgment of his own case. As far as regards the settlement of the point under discussion during all those

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demandatum est, opinione et sententiâ super dictâ quæstione, post multas, frequentes, et publicas disputationes ab illis pronuntiatâ, et declarata, invenimus et judicavimus, illa longe probabiliora, validiora, veriora, et certiora esse, tum etiam genuinum et sincerum sacræ scripturæ sensum præferentia, et interpretum denique sententiis magis consona, quæ confirmant et probant jure divino, pariter et naturali, prohibitum esse Christianis, ne quis frater relictam germani fratris morientis sine liberis, et ab eodem carnaliter cognitam, accipiat in uxorem. Nos igitur, universitas Oxoniensis antedicta, ad quæstionem prædictam ita respondendum decrevimus, et in his scriptis ex totius universitatis sententia respondemus, ac pro conclusione nobis solidissimis rationibus et validissimis argumentis comprobatâ, affirmamus, quod ducere uxorem fratris, mortui sine liberis, cognitam a priori viro per carnalem copulam, nobis christianis est de jure divino pariter ac naturali prohibitum. Atque in fidem, et testimonium hujusmodi nostræ responsionis et affirmationis, hiis literis sigillum nostrum curavimus apponi. Datum in congregatione nostrâ Oxonii die 8 Aprilis, 1530." Antiq. Oxon., 256.

[3] Calvinist opinions were also obtained by Henry, but they are even more worthless, from a judicial point of view (to say nothing of the theological) than those of the Catholic Universities. Underneath all such verdicts, there lay the primary assumption that this was a struggle between the Papacy and its enemies, and that the latter were to be supported, whatever the truth might be.

years, the opinions given are of the least possible judicial value; and when the manner in which they were obtained has been recorded, that is all that needs to be known about them.

Anne Boleyn's position

Her unreserved assumption as to the future

Improbability of her resisting Henry's advances

The further transactions connected with the divorce extend over two years of time, but they do not occupy a large space in history. The position of the persons concerned was now practically settled. Anne Boleyn was living in the King's palace in the same manner, to all outward appearance, that any other acknowledged mistresses of kings have lived, going wherever he went, and exercising the usual powers of favourite courtesans over their royal masters. The principal difference was that she looked forward with unblushing effrontery to the occupation of a position which was still filled by the Queen, and took it for granted, without the smallest particle of feminine reserve, that the question on which so many learned men were unable to make up their minds, was already practically decided in such a manner as to enable her to thrust Catherine from the King's side and usurp her place. It has been assumed that Anne Boleyn did not actually yield up her virtue to the King before marriage; but she gave every reason to contemporaries and to the historian to believe the contrary: and it would take very strong and direct evidence to convince any judicial mind that so sensual a man as Henry proved himself to be, would have accepted her society for so long a time on any other terms. No one would have believed that George IV., when separated from his Queen, was likely to keep a young marchioness, with whom he was "in love," under his roof and at his table for several years on an innocent footing: and it is quite as unlikely that

Henry VIII. should have done so. But, although the King and Anne Boleyn were thus living together, he had a sincere desire to leave behind him a son whose claims to the succession should be recognised as legitimate; and he therefore continued his endeavours to obtain such a sentence of divorce from his wife Catherine as would enable him to marry Anne. While there was no actual prospect of the latter having a child, he could still afford to be deliberate and formal in the steps which he was taking, and they were only hurried on when there was a certainty that she was about to become a mother, which was not until after December 1532.

Final negotiations of the King with the Pope

Notwithstanding, therefore, the unfriendly terms which now existed between Henry and the Pope, the former still continued to press for a decision by some competent tribunal appointed by the Pope, but which should not sit out of England. During the summer of 1530, letters were sent to his ambassadors at Rome, Dr. Benet, the Bishop of Worcester, and Sir Gregory Cassilis, in which he made further proposals; and the Bishop of Tarbes (now Cardinal Grammont) was instructed by Francis, the French king, to assist the English ambassadors in promoting their sovereign's cause. On October 8th of that year the Pope gave them an audience, when these proposals were set before him by Grammont; and a long account of the interview was written by Dr. Benet to the King.[4]

Nature of proposals made

These proposals were three in number, and each of them was brought forward by itself with great caution, and urged as far as possible before its successor was mentioned. The first was that the Pope should issue a commission to

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[4] See the Letter in Dod's Church History, Tierney's Ed., 1839, i. 384.

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the Archbishop of Canterbury, the Bishop of Lincoln, and the Bishop of London, to try the cause anew.[5] This the Pope firmly declined, saying that he had refused already to grant such a commission, on the ground that the Queen had appealed to him, and that justice to her required him to hear the cause himself; and that for the same reason he still refused to entertain the proposal. "Then my Lord of Tarbês descended to the second degree, which was for the commission to the clergy of the province of Canterbury." This also the Pope refused, saying as before that the proposal had been often made before and as often rejected by him. Finally, Grammont proposed that the King should be left to follow his own course conformably to the opinions given by the universities. This last proposal was read to the Pope by Grammont in Henry's own words; and, perhaps on that account, his Holiness declined to give a reply to it until he had consulted with the consistory. Then a threat that had been used by other ambassadors was again used by the French envoy. "Monsieur de Tarbês said that it was very necessary that his Holiness should study to satisfy your highness in some of these degrees, or else, he said, that his Holiness should see a greater ruin in Christendom than he hath seen hitherto, as he might clearly perceive by the latter end of the instructions." To which the Pope replied that come what might, he must proceed in this matter according to justice and the order of the law, and that neither the Kings of England nor France, on the one hand, nor the Emperor, should move him to "transgress one hair of justice." It was a brave resolve, but based on those

Cardinal Grammont's mediation

Clement will do justice fearlessly

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[5] The two first and the Bishop of Exeter had been proposed before.

narrow ideas respecting the dependence of sovereigns on the Pope, which had already become almost obsolete, and to maintain which still greater injustice had to be committed.

The dispensation for two wives

These proposals were urged upon the Pope again and again with the like result. The only appearance of yielding was when the Pope suggested to Dr. Benet that he might possibly grant the request for a dispensation to have two wives. This was opposed, however, by the consistory, and the Pope himself seems scarcely to have been serious in suggesting it.[6]

To meet the decrees of the Universities, which the King had thus brought officially before him, the Pope issued a bull on January 5, 1530-1, by which he inhibited any person or court from pronouncing sentence of divorce between Henry and Catherine, thus finally and publicly declaring his intention of

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[6] Dr. Benet states this strange affair in the following words:—"Sir, shortly after my coming hither, the Pope moved unto me of a dispensation for two wives, which he spake at the same time so doubtfully that I suspected that he spake it for one of these two purposes: the one was that I should have set it forward to your highness to the intent that if your highness would have accepted thereby, he should have gotten a mean to bring your highness to grant that, if he might dispense in this case, which is of no less force than your case is, consequently he might dispense in your highness' case. The other was, that I conjectured that it should be a thing purposed to entertain your highness in some hope, whereby he might defer your cause, to the intent your grace should trust upon the same. Then I asked his Holiness whether he was fully resolved that he might dispense in the same case? Then his Holiness showed me, No: but said that a great divine showed him that he thought, for avoiding of a greater inconvenience, his Holiness might dispense in the same case. Howbeit, he said he would counsel further about it with his council. And now of late, the Pope showed me that his council showed him plainly that he could not do it." Dod, i. 391. The same, or a similar conversation is mentioned in a letter from Sir Gregory Cassilis to the King. Collier, ix. 93. Luther's idea as to his powers of "dispensation" were on a less modest scale than those of the Pope and his consistory, for he gave permission (a few years later) to Philip, Landegrave of Hesse, to do that which the Pope declared he had no authority to sanction in Henry VIII. The Protestant Grinœus had already suggested this course to the King. See Burnet, i. 160.

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accepting the appeal of the latter, and of permitting the cause to be determined only by himself. He seems to have done nothing further in the matter during the whole of the year 1531, and certainly—assuming his right to act as judge in the case—so long a delay was a just ground of complaint as regards the persons chiefly interested. It was also bad policy as regards the relations between England and Rome, for the interval gave time for further alienation to take place.

The King finally separates from his Queen

It was during this year also that the final separation between the King and Queen took place. To whatever extent they had been living apart for the last six or seven years, they had yet been residing in the same palaces, sometimes dining at the same table, and appearing together occasionally in public. But the King had now resolved to bring Anne Boleyn more forward even than he had already done, and the inconvenience of having the Queen under the same roof with her supplanter was beginning to grow greater.

In June, therefore, some of the Lords of the Council were deputed to go to Greenwich, for the purpose of laying before the Queen the opinions of the Universities, in the hope that the strong case thus made out against her union with the King might be an argument with her that the Pope himself was likely to go against her, and that she would be wise to withdraw the appeal she had made to him. But Catherine was strong in the strength of feminine logic. She was the King's wife by decree of the Pope and lawful ceremonies, and until the Pope declared against her marriage, nothing should move her one step from the maintenance of her rights as a wife. Shortly after this interview, at midsummer, she left Greenwich with the King, and remained with him at Windsor until July 14th. On that day the final separation took place, the King departing from Windsor, and never again living under the same roof with, or even seeing her who had been his wife, and a good wife, for twenty-two years. She removed first to the More, a manor of the Archbishops of York, in Hertfordshire, and then to Ampthill, in Bedfordshire, one of the King's houses, where she spent most of her time during the remainder of her life.

The Pope's remonstrance respecting Anne Boleyn

Henceforth Anne Boleyn's position at Court ceased to be accompanied by the least public restraint. Perhaps a report reached the Pope that she was already married to the King; for he wrote to Henry on January 25, 1532, remonstrating against the scandal of having her to live with him as his wife; and it is certain that the Popes have not been accustomed to restrain Kings in respect to their feminine associates when the association has been notoriously a dishonourable one.

King of England summoned to appear at Rome

This remonstrance produced no further effect than a renewal of the weary missions to Rome, which seem to have tired out to the last degree the patience of all immediately engaged in them, for they were always declaring to the King how utterly hopeless they were, and how immoveable was the Pope. Even while such importunities were being used towards Clement, he issued citations for the King and Queen to appear at Rome. When it had been proposed to do this three years before Wolsey had replied that his master, the King, could only appear at Rome with 20,000 soldiers at his back; but instead of meeting the citation with any such reply, the King sent to his special ambassador, Sir Edward Karne, who was at Rome, under the name of an "excusator" (and with him Dr. Bonner), to decline entering an appearance; first on grounds taken from the canon law, and secondly, by alleging the independence of the English crown. They appeared before the consistory, and a long debate of many days followed, the question assuming more of a political than any other form, and Henry's envoys being opposed by those cardinals who were, politically, of the Emperor's party. The debate ended almost where it began, an urgent message being sent to the King to the effect that if he would not himself appear at Rome, he would at least send a proxy to plead in his name, and represent him at the trial.

Is urged by his agents to send a proxy

But now the King was preparing to take the matter into his own hands and follow his own course, a proceeding to which the Pope would probably have offered little or no objection some time before, but which would interfere with the dignity and authority of the Holy See now that so much had been said and done on both sides. In September "Mistress Anne" was created Marchioness of Pembroke—a title not hitherto borne by a subject; and in October, she accompanied the King to Calais on the occasion of his second state interview with the King of France. In the following month the Pope signed a brief forbidding the marriage of Henry with Anne Boleyn, and declaring him excommunicated *ipso facto*, if it had taken place, or should take place thereafter; but this brief was not published until the following February; and before that time came the marriage had taken place.

A royal title conferred on Anne Boleyn

For whether or not Anne Boleyn had withstood the King's advances for any time at first, it is certain that they were living together at the end of 1532 as man and wife, Queen Elizabeth being born on September 7, 1533. Finding that his companion was likely to become a mother, he doubtless hoped and expected that she would give him a son, and in his anxiety to make that son a legitimate heir to his throne, the King pressed on the marriage in spite of the unremoved obstacles of a wife not yet divorced, and of the papal opposition. A letter of Archbishop Cranmer records that the marriage was celebrated "much about St. Paul's day last,"[7] *i.e.* January 25, 1533, and the same date is given by Stow. An earlier day, the festival of St. Erkenwald, November 14th, was named by some subsequent writers; and it is considered probable that reports were circulated of the marriage having taken place at that time, for the purpose of deceiving the Court of Rome, and concealing the fact of Anne's immorality. Cranmer was not present at the marriage, and did not know of it for a fortnight after it had taken place. It is supposed that the ceremony was performed by Dr. Rowland Lee, who was afterwards Bishop of Lichfield and Coventry, and that only the Earl and Countess of Wiltshire, Lord Rochford, and the Duke of Norfolk (Lady Wiltshire's brother) were present. Nothing remains to show us in what light so singular a marriage was regarded by the relatives of Anne Boleyn; but such gross adulation was paid to the King, that they probably considered it perfectly legitimate and unexceptionable.

Her marriage to the King

The persons present at the ceremony

Parliament met on February 4, 1533, and passed the famous Statute of Appeals. This will be noticed at length in another chapter, and it is only necessary to mention it here as shutting the door against all further hope that Catherine might entertain as to the King submitting to have her cause tried at Rome.

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[7] Cranmer to Archdeacon Hawkyns (Jenkyns' Cranmer), i. 31.

Cranmer consecrated

On February 21st the bulls were issued for the consecration of Cranmer as Archbishop of Canterbury, and his consecration took place almost immediately after their arrival in England, that is, on March 30, 1533.

Opinion of convocation in the King's case

The convocation which was then sitting had been elected in 1529, but how many sessions it had held cannot be known, as the records of convocation at that period have been destroyed. Among its many important discussions and acts there had, during some of these sessions, been one respecting the divorce,—the same questions having been submitted to both the convocations as had been laid before the Universities. On April 5, 1533, the acts of the convocation of Canterbury were searched by command of the King, and an entry was found relating to this debate. The first question put before the houses had been, Whether marriage with a brother's widow, supposing the brother to have consummated his marriage, was forbidden by the law of God, and so beyond the power of the Pope to allow. After a long debate of several days, this proposition was voted in the affirmative by 263 (66 present, and 197 proxies), in the negative by 19. The second question was, Whether the consummation of the marriage between Prince Arthur and the Princess Catherine was sufficiently proved. This was debated only by doctors of the civil law, of whom 47 were present, and 3 sent proxies: of this number 41 decided in the affirmative. The aged Bishop of Rochester, and the Bishop of Llandaff, were in the minority on both occasions, and on the second question they were joined by the Bishop of Bath and Wells.

Five weeks later, May 13th, a similar official search was made in the acts of the convocation of York, and the report stated that there also a decision of both questions was found to the same effect.

Culpable pliancy of Cranmer

In looking at the steps which were then taken by Archbishop Cranmer, it is impossible to exonerate him from collusion with the King. But the votes of convocation in both provinces gave such large majorities, that the former may, not very unfairly, have supposed that they justified him in giving effect to his own opinion, and in carrying out the King's wishes. In doing this he gave himself too much the appearance of obeying orders, instead of sitting in the seat of judgment: but Cranmer was not a man of exalted mind or manner; and it is most likely that his conscience and his subserviency (disgusting as the latter now seems) were really in agreement with each other. His first step was taken when he had been Archbishop a little more than a week, and looks extremely like the fulfilment of a contract with the King. On April 11th, he presented a petition or memorial to Henry, setting forth the difficulties and dangers which beset the country for want of a son as heir-apparent to the Crown, and asking, in terms that cannot be characterized otherwise than as abject, for license to exercise his office in bringing the divorce suit to an end.[8] The

Applies for a license to act

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[8] State Papers, i. 390. There are two, but varying copies of this letter (both sent to the King), and the second—more abject, even, in tone than the first—was the one chosen by Henry.

King replied in a lofty tone, reiterating with some exaggeration the "most humble supplication" of the Archbishop, declaring that he recognised no superior on earth but God, and that he was not subject to the laws of any earthly creature, but condescending "not to refuse" the "humble request, offer, and towardness" to make an end "in our said great cause of matrimony, which hath so long depended undetermined, to our great and grievous unquietness, and burden of our conscience."[9] The license is therefore granted, under the sign manual, for the Archbishop to proceed in the examination and determination of the cause; the letter concluding with a solemn exhortation to Cranmer, that he take care not to have regard to any earthly or worldly affection therein; "for assuredly the thing that we most covet in the world, is so to proceed in all our acts and doings, as may be the most acceptable to the pleasure of Almighty God our Creator," &c. &c. Such solemn asseverations were by no means necessary in the document, and cannot be taken as a mere technicality. They were inserted with deliberate and audacious mendacity, in the face of a fact which at once shows that the King had now no conscience in the matter,—the fact being, that he had gone through the ceremony of marriage with Anne Boleyn eleven weeks before he thus professed to seek a just and impartial decision as to the lawfulness or unlawfulness of his yet undissolved union with Catherine.

The King's gracious compliance

Cranmer's final trial of the case

The Archbishop opened his court in the monastery at Dunstable, in the neighbourhood of Ampthill, the Queen's present residence. A monition was served upon her, by Dr. Lee, to appear there on May 10th;

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[9] State Papers, i. 392.

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but "she utterly refused the same, saying that inasmuch as her cause was before the Pope she would have none other judge; and therefore would not take me for her judge."[1] She persevered throughout in this refusal to recognise the court, so that "there came not so much as a servant of hers to Dunstable, save such as were brought in as witnesses;" and, in fact, she openly declared that Cranmer was a "shadow" and his court a "mockery," plainly considering that the Archbishop was simply carrying out *pro formâ* the foregone intention of the King.

Catherine's estimate of him

This "shadow" of a judge sat at Dunstable for seven days, or at least on some of the days from the 10th to the 17th of May, with Longland, Bishop of Lincoln, for his assessor; Gardiner, Bishop of Winchester, Dr. Bell, Dr. Claybrook, Dr. Tregonnell, Dr. Hewis, Dr. Oliver, Dr. Britton, and Mr. Bedell, with divers other learned in the law, being counsellors for the King's part." Witnesses were examined to show that the Queen had been lawfully cited to appear, and as she did not appear she was pronounced *contumax* on the very first day of the sitting, Saturday, May 10th; and on the following Monday the Archbishop "pronounced her *vere et manifeste contumacem*, so that she is (as the counsel informeth me) precluded from farther monition to appear."[2] Thus, Cranmer told the King, he was able to make more expedition than he had expected; and on the 17th of the month he wrote again to say that he had fixed the following Friday, the earliest possible day, for declaring the final sentence of divorce. On the same day he wrote a most unworthy letter to Cromwell,

Course of the trial

The judge to the plaintiff

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[1] Cranmer to Archdeacon Hawkyns (Jenkyns' Cranmer), i. 27.

[2] State Papers, i. 394.

desiring that his intention might be kept strictly secret, "For if the noble Lady Catherine should, by the bruit of this matter in the mouths of the inhabitants of the country, or by her friends or counsel hearing of this bruit, be moved, stirred, counselled, or persuaded to appear afore me in the time, or afore the time of sentence, I should be thereby greatly stayed and let in the process, and the King's Grace's counsel here present shall be much uncertain what shall be then further done therein."[3] There seems to have been a thorough understanding between Henry and Cranmer as to the character of "the process" which the Archbishop was thus to smuggle through its rapid stages. And so on the earliest possible day—the first day after the 17th, which was open for the sitting of law courts—the Archbishop writes to the King, "Please it your Highness to be advertised, that this 23d day of this month of May I have given sentence in your Grace's great and weighty cause, the copy whereof I have sent unto your Highness by this bearer, Richard Watkyns."[4] In a private letter to Archdeacon Hawkyns, written a few weeks later, he says that he proceeded "in the said cause against her *in pœnam contumaciæ* as the process of the law thereunto belongeth, which continued fifteen days after our coming thither. And the morrow after Ascension Day I gave final sentence therein, how that it was indispensable for the Pope to license any such marriages."[5] Five days afterwards Cranmer was at Lambeth, where he pronounced his decision confirming the marriage of Henry with Anne Boleyn.

Fears Catherine may appear and so hinder the process

Convicts her as contumacious for not appearing

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[3] Jenkyns' Cranmer, i. 26.

[4] State Papers, i. 396.

[5] Jenkyns' Cranmer, i. 28.

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The substance of the sentence thus pronounced by the Archbishop is, that having examined all the evidence that had been given, the opinions of the universities, the decision of convocation, and all other documents throwing light on the case, he had found it his duty to pronounce a final decree and sentence, to the effect that the marriage between Henry and Catherine was null and invalid, and being contracted and consummated contrary to the law of God, was of no force or obligation; that it was not lawful for Henry and Catherine to continue in such a pretended marriage, and that they were accordingly separated and divorced the one from the other.[6]

Decrees nullity of marriage and sentence of divorce

Six days after Cranmer had pronounced the sentence in his court at Dunstable, Anne Boleyn was conducted in great state from Greenwich Palace to the Tower, where it was customary for the Queens of England to spend a few days before their coronations.[7] It was a bright and beautiful day in May, and all the pageant that could be devised was exhibited on the river and in the streets to do her honour. On another bright and beautiful day in May, three years afterwards, she was brought again to the same royal apartments, but a prisoner; and before the three years had passed away, she was beheaded on the very spot over which her litter was now carried in triumph. The coronation took place at Westminster on Whitsun-Day, June 1, 1533.

Anne Boleyn at the Tower

She becomes Queen

But although Henry had attained his wish so far, he was by no means clear of all the difficulties which had been raised up by this long-protracted business. His own subjects were discontented at the course which things had taken, and there had even been a movement in the House of Commons towards petitioning him that he would restore the Queen. This was before he had openly taken the matter of the divorce into his own hands: but when Cranmer had pronounced sentence, there were fears of an interdict on the part of the Pope, and of an invasion on the part of the Emperor: and the country had not yet learned its own independent strength, either in religious or military affairs. Sir Nicholas Hawkins was directed to communicate to the Emperor the final steps which Henry had taken, and to do this in language so apologetic that it may almost be called humble: and, among other things of the sort, he was to say, "Suits must have an end, *si possis recte, si non, quocunque modo.*" The Emperor replied in ambiguous language, declaring that he wished to remain on friendly terms with the King, but that Queen Catherine's rights had been violated, and that "he must see for her, and for her daughter his cousin." He seems to have intended, at first, to take up arms in her cause, but he waited and waited until a favourable opportunity should arise for doing so, until at last the poor Queen had passed beyond the reach of his championship.

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[6] Burnet iv. 189, Pocock's Ed. Rymer, xiv. 462. Herbert's Henry VIII. 375.

[7] Cranmer, in his letter to Archdeacon Hawkyns, says distinctly that it was on "the Thursday next before the feast of Pentecost," which makes the date May 29, 1533. Mr. Froude has May 19th.

Public opinion respecting the divorce

Apology made to Charles V.

When the news of Cranmer's sentence of divorce reached Rome, it was at once declared null and void (by a brief dated July 12th), on the ground that the cause was pending before the Pope himself, and that therefore it was beyond the power of any other person to decide it. The King was declared

The Pope's action

A.D. 1533

excommunicate if he persisted in recognising Cranmer's sentence, and the end of September was fixed as the time for the excommunication to come into force. Henry had appealed to a general council, in anticipation of such a sentence, on June 29, 1533, and Cranmer also did the same. This appeal from the Pope to a higher authority need not be noticed further in connection with the divorce, but there are some points of interest about it which will bring it under observation in a future section of this history. When the Pope's intentions were known, Henry endeavoured to appease him through the mediation of the King of France, who sent the Bishop of Paris to Rome with fresh proposals, and communications between the two courts were partly re-opened. But there was no sincerity in these proposals. They were so far accepted by the Pope and his consistory that a messenger was despatched to England for the King's ratification of them: but when, after long waiting, no reply was received, and, on the other hand, accounts reached Rome of a gross insult offered to the Pope and cardinals by the acting of a comedy in which they were ridiculed before the King, the patience of the Roman court could hold out no longer. On March 24, 1534, a bull was published giving a final sentence in the divorce, declaring the marriage of Henry and Catherine valid, and commanding him to restore her to her rights, on pain of excommunication. On the 26th of the same month a messenger reached Rome from the King, with his consent to ratify the proposals made by the Bishop of Paris, and appear before the Pope by proxy: but the Pope and consistory decided that what was done should not be

The King appeals to a General Council

The Pope's sentence, confirming validity of Catherine's marriage

CHAP III

undone, and thus the alienation of Henry from the Pope was effectually completed.[8]

A.D. 1533

A few words respecting the personal history of Queen Catherine and Anne Boleyn, subsequent to the divorce of the former, will complete this sad and humiliating story.

Queen Catherine's interview with the Privy Council

Declaration of her rights

Some weeks after the sentence of divorce had been passed, Lord Mountjoy (who remained at Ampthill, in charge of Catherine, much in the same position as Sir Hudson Lowe was placed in charge of Napoleon at St. Helena) was directed to have an interview with her, and to introduce to her presence a deputation of the Privy Council, who had been sent with some special instructions. She refused for some time to hold any communication with them, but was persuaded at last to admit them to an interview on July 3rd. Their instructions were to be read to her, and a verbal message delivered. At the first words, in which she was called the Princess-Dowager, her feelings as a queen and a wife were outraged, and she declared that she was not Princess-Dowager, but Queen, and the King's true wife; that she had been only nominally married to his brother, and that she had borne him lawful issue. Queen she was, and Queen she would be while she lived. As the commissioners proceeded, Catherine commented upon the declarations contained in their paper. It was might, not right, which had put her in the position she occupied; the King's learned men were learned heretics; the opinions of the Universities had been obtained by force and bribery: and, finally, she acknowledged no other judge now than the Pope, to whom she had appealed. Then the commissioners used all the arguments they could think of, obedience to the King, her own advantage, that of the Princess Mary, threats of public exposure, and taunts of vanity,—to induce her to lay aside the title of Queen: but all their arguments were unavailing, the ill-used lady having one answer to each—that she was the King's wife, and that until the Pope made her otherwise she would maintain her right and title. She afterwards desired to see the report which they had prepared to send to the Privy Council, and finding they had written of her as the Princess-Dowager, she dashed out the name wherever it occurred, the marks of her pen being still to be seen on the document.[9]

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[8] Henry made great efforts in 1535 to persuade Paul III. to reverse the decree of his predecessor. The King promised the King of France that if he would prevail on the Pope to do this he would renounce his title to the kingdom of France and give the Princess Elizabeth to the Duke of Angouleme. Francis agreed to these terms, and there exists a draft of a declaration to be subscribed by him, which was sent from England by Lord Rochford. [See State Papers, vii. 587, 592, 602.]

Arguments used to persuade her

Her last words of righteous anger are recorded in the same document:—

Her last queenly words

"I would rather," she said "be a poor beggar's wife, and be sure of heaven, than queen of all the world, and stand in doubt thereof by reason of my own consent. I stick not so for vain glory but because I know myself the king's true wife, and while you call me the king's subject, I was his subject while he took me for his wife. But if he take me not for his wife, I came not into this realm for merchandize, nor to be married to any merchant; nor do I continue in the same but as his lawful wife, and not as a subject to live under his dominion otherwise. I have always demeaned myself well and truly towards the king—and if it can proved that either in writing to the pope or any other, I have either stirred or procured anything against his Grace, or have been the means to any person to make any motion which might be prejudicial to his Grace or to his realm, I am content to suffer for it. I have done England little good, and I should be sorry to do it any harm. But if I should agree to your motions and persuasions, I should slander myself, and confess to have been the king's harlot these twenty-four years. The cause, I cannot tell by what subtle means, has been determined here within the king's realms, before a man of his making, the Bishop of Canterbury, no person indifferent I think in that behalf; and for the indifference of the place, I think the place had been more indifferent to have been judged in hell; for no truth can be suffered here whereas the devils themselves I suppose do tremble to see the truth in this cause so sore oppressed."

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[9] It is in the British Museum Library: Cotton. MS. Otho. x. p. 199, and is printed in the State Papers. See i. 397 and 402.

Character of Queen Catherine

This pathetic and womanly speech may be regarded as marking the close of Queen Catherine's public career: a dignified close, consistent with the public life of one over whom neither truth nor slander ever cast the shadow of a personal or political crime. She was a true king's wife; never stepping beyond the boundaries of her position to influence her husband, yet always maintaining the dignity of his crown. Her virtues have been universally allowed, even by those partisan writers who have been unable to see the living force and truth of her piety. There are few English wives who will not consider that the latter years of her life were such as almost to entitle her to the rank of a confessor; and few English gentlemen who will not remember with pain and shame the treatment which she received.[1]

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[2] It is due to the memory of the great Lord Mountjoy, who was thus so painfully mixed up with the Queen's sufferings, to add that he resented the indignities thrust upon her almost as keenly as she did herself. There is on record a most manly and honourable letter which he wrote to that most unmanly and dishonourable tool, Cromwell, and which is a reply to one conveying to him a rebuke for permitting some of Catherine's household still to call her Queen

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Anne Boleyn's life as Queen

There is not much to record of the life of Anne Boleyn during the three years which followed the fulfilment of her ambition. She appears to have accepted her position, before marriage and after marriage, without being pained by any womanly thoughts in respect to herself or to the Queen whom she had supplanted. Her daughter Elizabeth was born on the 7th of September, 1533; and after that she gave no further promise of an heir for more than two years;[2] but she is said to have borne a dead son prematurely in February 1536, very soon after the death of Catherine. During the years of her married life she was not on happy terms with the King, there being great jealousy, apparently well founded, on both sides. In her last letter to the King, written from the Tower,[3] she told him that she had long observed his passion for her maid of honour, Jane Seymour; and in her last conversation with Sir William Kingston she said sufficient to give colour of great probability to the charges of unfaithfulness brought against her by the King. If either ever enjoyed happiness in their intercourse with each other marriage seems to have taken off the edge of the enjoyment on both sides.

Death of Queen Catherine

The health of Queen Catherine gave way finally in the autumn of 1535.[4] She then removed from

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instead of Princess. He desires to be removed from his office of chamberlain, for he neither has the power nor the will to enforce the King's commands. Several times he has been humiliated by contests with the Queen on this subject, and he will no longer vex or unquiet one so thoroughly loyal to the King as Catherine is. He would rather serve his Majesty in some other capacity. [State Papers, i. 408.]

[2] This fact should be remembered in association with her position at Court before her marriage.

[3] Harl. Misc., iii. 62.

[4] Bedingfield wrote respecting her dangerous illness on Dec. 31, 1535. He and Sir E. Chamberlain gave notice of her death on Jan. 7th following. [State Papers, i. 451.]

Ampthill to Kimbolton, and in the beginning of January she wrote her last touching letter to her husband as follows :—

Her last words to her husband

"My most dear Lord, King, and Husband, The hour of my death now approaching I cannot choose but, out of the love I bear you, advise you of your soul's health, which you ought to prefer before all considerations of the world or flesh whatsoever; for which yet you have cast me into many calamities, and yourself into many troubles. But I forgive you all, and pray God to do so likewise. For the rest, I commend unto you Mary our daughter, beseeching you to be a good father to her, as I have heretofore desired. I must entreat you also to respect my maids, and give them in marriage, which is not much, they being but three; and to all my other servants a year's pay besides their due, lest otherwise they should be unprovided for. Lastly I make this vow, that mine eyes desire you above all things. Farewell."[5]

It was not only the same hand, but the same heart as that which had addressed him in her letters as "My Henry," in the happy days of their early married life, twenty years before. She died on January 7, 1536, being fifty-two years of age.

Anne Boleyn's mourning

The Court went into mourning for her as the Princess-Dowager, and she was buried in the south aisle of the nave of Peterborough Abbey. When the Court dressed in violet, Anne Boleyn dressed in yellow, and this has generally been construed as a refusal to wear mourning. But yellow was the colour for royal mourning at the court of France, and though there may have been something of evasion in her conduct, it must be remembered that the new Queen had worn this colour, and perhaps this only, on previous occasions when she was in the service of the French Queen at the time of the King's death.[6] The King is said to have shed tears—and not without reason—when he heard of Catherine's death.

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[5] Herbert's Henry VIII., p. 188.

Anne Boleyn's alleged adultery

Four months later Anne herself followed Catherine to the grave: but there were no tears shed for her, no funereal pomp at her burial, no mourning worn as a tribute of respect to her memory. The King's doubts about her conduct began to reach their climax at the very time when his first and faithful wife departed from her troubles; and his inclination—one can hardly call it affection—towards Jane Seymour was working the same alienation from Anne that had in her own case caused his alienation from Catherine. The Privy Council investigated the evidence of Anne's adultery which was laid before them, and on April 24th an order was issued for a commission (including her father, the Earl of Wiltshire) which was to bring her, and her supposed accomplices—for her loose manners had implicated her with five—to trial. On May 2d she was arrested; on the 11th she was indicted by the grand jury on five separate charges of adultery (the first occasion named being on the 6th of October, 1533, a month after the birth of Queen Elizabeth), and on the 12th four of her accomplices were found guilty by an ordinary jury. She herself and her brother, Lord Rochford, were tried by twenty-seven peers on the 15th, found guilty, and condemned. The sentence passed upon her was that she should be burned or beheaded, as should please the King: it pleased him that she should be beheaded. Before she died, Anne con-

Her trial and condemnation

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[6] It is a strange coincidence that she was beheaded according to French custom, and by a French executioner, the headsman of Calais, with a sword instead of an axe.

Her divorce from the King

Her death and ignominious burial

fessed something to Archbishop Cranmer which he considered to be a conclusive proof that her marriage with the King was not valid.[7] This confession being repeated by her before the Archbishop, sitting in his court at Lambeth on the 17th, Cranmer pronounced her marriage with Henry null and void. Thus divorced, as if her first great crime was to come back upon her own head in vengeance, she returned to the Tower for a few hours, and at noon the next day, May 19, 1536, gave her neck to the headsman—let us reverently hope, in part expiation of her sins—on Tower Green, commending her soul to a merciful God.[8] So little honour was paid to her, or so great haste was used, that nothing better than an empty arrow chest was provided to receive her body and the dissevered head, which was then carried a few yards to St. Peter ad Vincula, and there buried in the chancel. Next day Henry married a new wife, with whom he had already had an intrigue of some standing.

Estimate of her character

The miserable fate of Anne Boleyn wins our compassion, and the greatness to which her daughter attained has been in some degree reflected back upon herself. Had she died a natural death, and had she not been the mother of Queen Elizabeth, we should have estimated her character at a very low value indeed. Protestantism might still, with its usual unhistorical partizanship, have gilded over her immoralities; but the Church of England must ever look upon Anne

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[7] It is thought (by some writers) to be almost certain that this confession related to the King's illicit intercourse with her sister, Mary Boleyn, which would, according to law, have vitiated the marriage of herself to the King.

[8] The young Duke of Richmond was one of the four peers present at her death. He had married the daughter of the Duke of Norfolk, whom she speaks of as always her enemy. Doubtless there were jealousies about the succession.

Boleyn with downcast eyes full of sorrow and shame. By the influence of her charms, Henry was induced to take those steps which ended in setting the Church of England free from an uncatholic yoke: but that such a result should be produced by such an influence is a fact which must constrain us to think that the land was guilty of many sins, and that it was these national sins which prevented better instruments from being raised up for so righteous an object.

CHAPTER IV

THE RE-ESTABLISHMENT OF THE ROYAL SUPREMACY

[A.D. 1529—1534]

IN tracing out to its end the subject of the divorce we have been obliged to pass a few years beyond the straight course of our story; and it will now be necessary to go back to the time immediately succeeding the fall of Wolsey, that we may follow out the details of some very important transactions relating to the internal economy of the Church.

Wolsey and the Præmunire A.D. 1529

The principal charge made against the Cardinal was, that he had transgressed against the Statute 16, Richard II., cap. 5, by acting as legate *a latere*, and had thus incurred the penalty of "præmunire." The statute in question was enacted for the purpose of checking the extravagant assumptions of the Popes, chiefly as regarded the exercise of patronage and interference with decisions on ecclesiastical subjects which had been given in the King's court. There is nothing about legates in it; but the enacting clause ordains, "That if any purchase or pursue, or cause to be purchased or pursued in the court of Rome, or elsewhere, by any such translations, processes, and sentences of excommunications, bulls,

What the "Præmunire" was

And penalty incurred under it

Injustice of punishing Wolsey for falling under it

instruments, or any other things whatsoever, which touch the King, against him, his crown, and his regality, or his realm, as is aforesaid, and they which bring within the realm, or them receive, or make thereof notification, or any other execution whatsoever within the same realm or without, that they, their notaries, procurators, maintainers, abettors, fautors, and counsellors, shall be put out of the King's protection, and their lands and tenements, goods and chattels, forfeit to our lord the King; and that they be attached by their bodies, if they may be found, and brought before the King and his council, there to answer to the cases aforesaid; or that process be made against him by *præmunire facias,* in manner as it is ordained in other statutes or provisos; and other which do sue in any court in derogation of the regality of our lord the King." No one ever pretended that this shut out the person incurring the penalty from the King's pardon, although, until that pardon was obtained, any one convicted of præmunire wore, in legal language, "a wolf's head," and might have been slain with impunity till the reign of Elizabeth.[1] This pardon was substantially, and perhaps verbally, granted to Wolsey when he began to exercise the office of legate, in the form of a license under the great seal, which was amply sufficient, one would suppose, to cover any technical transgression of the statute. Henry, moreover, gave a legal recognition to Wolsey as legate: for he appeared before him in his judicial character (derived from the Pope and confirmed by the King) on October 16, 1518, and entered into a formal engagement to perform the contract made respecting the marriage of the Princess Mary with the Dauphin, asking that if he failed to perform his promise, Wolsey should excommunicate him, and pass sentence of interdict on his kingdom.[2] Wolsey nobly declined, however, to plead these distinct acts of sanction and recognition, saying, "Because *I will not here stand to contend with his Majesty in his own case,* I will here presently before you confess the indictment, and put myself wholly to the mercy and grace of the King, trusting that he hath a conscience, and reason to consider the truth, and my humble submission and obedience, wherein I might well stand to my trial with justice."[3] As is well known, the King met this generous submission by appropriating Wolsey's goods down to the last penny and the last blanket,[4] including the colleges which were in progress at Oxford and Ipswich. He then issued a pardon again to his fallen minister, and restored a small portion of his goods and income.

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[1] Amos, Statutes of Henry VIII., 59.

His legateship sanctioned by the King

It might have been supposed that the penalty of the *Præmunire* would at least end here. But the King discovered that a further ingenious use might be made of it, and a still further and more splendid spoil still be raked into the yawning gulf of his ever greedy coffers. For the Act of Parliament not only imposed the penal consequences of forfeiture and possible death upon the principal offenders, but upon "their notaries, procurators, maintainers, abettors,

All England involved in Wolsey's guilt

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[2] Brewer's Calend. St. Pap., ii. 4504. For further particulars about the legateship of Wolsey, see pages 52-9.

[3] Cavendish in Wordsw. Ecc. Biog., i. 463.

[4] A similar forfeiture took place in the cases of Sir Thomas More and Bishop Fisher. The latter had not clothes left to keep him warm when in the Tower.

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fautors, and counsellors." These were comprehensive terms, and the King was determined to give full force to them: so the whole clergy of the land, and eventually the whole laity of the land also, were declared to be "maintainers, abettors, fautors, and counsellors" of the great criminal; with the monstrous consequence that all their possessions and their very lives were at the disposal of the King until he issued his pardon!

The laity of England pardoned by the King's goodness

To pardon a whole people was sufficiently absurd, but to have attempted to enforce the penalty would have been still more ridiculous. As regards the laity, therefore, the mercy of this very "sharp practising" tyrant was obtained on easy terms; and since the forgiveness of the clergy occupies a larger space in history, the solemn farce of the more general pardon may be first narrated as it has come down to us in the pages of Hall. "When the Bill for the pardon of the clergy was read in the House of Commons, many froward persons would in nowise consent to vote for it, unless that all men might be included, arguing that every man who had anything to do with the Cardinal was in the same case." This servile fear determined the House to send a deputation to the King, with the speaker Audley at their head, to tell "His Majesty that his faithful Commons sore lamented and bewailed their chance in having occasion to think or imagine themselves out of his favour, because he had granted his most gracious pardon to his spiritual subjects for the *Præmunire,* and not to them; wherefore they most humbly besought his Majesty, out of his wonted goodness and clemency, to include them in the same pardon." This abject petition met with a rough

Servility of their representatives

reception from the King, who told them that he was their Prince and Sovereign Lord, and that they ought not to restrain him of his liberty, nor to compel him to show his mercy." So for a few days Henry declined to relieve his subjects from the penalties which they had incurred; but eventually he sent his pardon to the House of Commons by the hands of the attorney-general, and was thanked for it in as grovelling a manner as he had been asked for it by his "sorrowful and penitent" Commons.

The clergy of England ransomed out of the royal displeasure

The clergy were by no means to get off so easily. In December 1530, an indictment was brought against them in the King's Bench, and no one doubted for a moment that in the King's cause, and at the King's wish, a conviction would follow, even though the venerable Sir John More was chief justice of that court. Before the day of trial, therefore, the convocations of Canterbury and York had decided to compound with the King on terms which he offered them. The clergy of the southern province were required to redeem themselves out of the King's merciful talons by a ransom of £100,044, 8s. 8d., and those of York by a similar payment of £18,840, 0s. 10d., each sum to be handed in to the royal coffers in instalments, stretching over five years. In modern money this amounts to £1,500,000, an enormous fine, imposed by the royal prerogative alone, for a fictitious offence, and then called the King's mercy! As his Majesty had already seized the whole of Wolsey's property, York Place the palace of the see, and the two colleges, with all the monastic manors settled on them, it may be fairly computed that these, making the first

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morsel of his ecclesiastical spoils, amounted to about two millions of pounds.[5]

The pardon was not, of course, issued until the convocations had officially ensured the payment of this great fine, and until then the clergy were entirely at the mercy of the King: so that he might, however unjustly, by this overstrained law, have seized the property of any number of them, as he had that of Wolsey, and even put them to death without trial. Having them so completely under his hand, Henry determined to use the opportunity for the purpose of exacting from them a definite declaration of the royal supremacy, with a view to securing their ready submission, when the question of the divorce should be brought before them, as it was shortly afterwards. This was attempted by the introduction of a new form for the King's title in the preamble of the Act of Convocation by which the money was to be voted. This is said to have been done at the suggestion of Cromwell and Cranmer.[6]

New title demanded for the King

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[5] The wealth of the Crown at this period was enormous. Heavy taxes were levied during the whole of Henry's reign, much money had been borrowed and *the debts to the lenders repudiated by act of Parliament;* and £1,800,000 (in money of that day, some 20 millions in that of ours,) had been inherited from his father.

[6] The author of the book which goes by the name of "Baily's" Life of Fisher [probably by Dr. Hall of Christ's Coll. Cambridge, who died Canon of St. Omer in 1604] attributes the suggestion to Cranmer, on the occasion when he is said to have proposed to Gardiner and Fox the submission of the divorce case to the consideration of the Universities. Cranmer is said to have spoken to them in the following words,—"Gentlemen, if the King knew but his own power so rightly as he might be given to understand the same, there would be no cause left him for discontentment, but rather a way paved unto him for all manner of satisfaction. For if the King rightly understood his own office, neither Pope nor any other potentate whatsoever, neither in causes civil nor ecclesiastical, hath anything to do with him, or any of his actions, within his own realm and dominion; but he himself, under God, hath the supreme government of this land in all causes whatsoever." Baily's Life of Bp. Fisher, p. 89.

Cardinal Pole records, on the authority of Cromwell and others

The words introduced were, "of the English Church and clergy, of which the King alone is protector and supreme head;"[7] words startling enough as they stood, and easily capable of being strained into a meaning that would perpetuate that relation between King and clergy which had been brought about by the Præmunire. When, therefore, this document was placed before the Convocation of Canterbury on February 7th, it led to a discussion which continued until the 10th, and which ended in both houses declining to accept such a preamble, on the ground that after a lapse of time, terms of so general a nature as those which had been inserted in it might be wrested to an improper sense.[8]

and refused by Convocation

The King had been very urgent in seeking the title of "Defender of the Faith" from the Pope ten years before, and he seems to have been as determined in his resolve to get that of "Head of the Church" from the Convocation. But he gave way to the arguments that were used as to the profanity of such an assumption, and agreed to allow the insertion of the words "after God"—"cujus protector et

Title modified at request of clergy

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who were present, that the day following that on which Cromwell left Wolsey, after saying to Cavendish, "I intend, God willing, this afternoon, when my Lord hath dined, to ride to London, and so to the court, where I will either make or mar, or I come again," he appeared before the King, and then made the suggestion in question. "Assert therefore," he is declared to have ended a long speech, "that which properly belongs to the name of king, and declare yourself to be Head, and sole Head in your own kingdom." Pole's quotation is "Vindices ergo quod est proprium Regii nominis, ut sis caput in tuo regno, et solum Caput." Pole's Apologia, pp. 121-123. The Cardinal declares that Cromwell was immediately made Privy Councillor.

[7] "Ecclesiæ et cleri Anglicani cujus protector et supremum Caput is solus est." Wilkins' Conc. iii. 725.

[8] Atterbury quotes the Acts of Convocation (which have since been destroyed) as follows: "Ne forte post longævi temporis tractum, termini in eodem articulo generaliter positi in sensum improbum traherentur." Rights of Convocation, p. 82.

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supremum caput post Deum is solus est"—in the hope that this form might be accepted. Such a qualification was not, however, considered sufficient, as it still left the words in a form which was capable of being interpreted to contain a recognition of spiritual authority in the King. The Convocation stood out boldly against any such claims, and showed that they were willing to risk the Præmunire rather than open a door to their admission then or at any future day.

Bold stand of the clergy

Upon this the King tried a little conciliation. He sent for a number of the bishops and other members of Convocation, and pledged himself to them that if they gave him the title he asked for, it should be little more than *honoris causâ*, for he would not assume any other powers or jurisdiction than had been exercised by previous sovereigns. The deputation retired and went back to the Convocation, each house taking separately into consideration the offer made by the King. Bishop Fisher was not yet so infirm as to be unable to attend the meetings of Convocation, and to him the other bishops looked for advice, which the good old prelate gave in the form of a parable. "Thus stands the case, my masters. The heart, upon a time, said unto the members of the body, let me also be your head, and I will promise you that I will neither see, nor hear, nor smell, nor speak; but I will close shut mine eyes, and ears, and mouth, and nostrils, and will execute none other offices than a mere heart should." Then the two houses united in consultation, and while some of the other bishops were endeavouring to persuade the clergy to comply with the King's wish, Fisher again spoke, saying (with much else to the

Fisher's parable about the title of "Supreme Head" same purpose), "What if the King should alter his mind, where is our remedy? What if the King will execute the supremacy? Must we sue unto the head to forbear being head?" He also showed how strange the position of the Church would be if a woman or a child should come to be accounted its head, because sovereign of England; thus looking forward almost with prophetic foresight, for neither Elizabeth nor Edward were yet born, and Mary was, in effect, disinherited already.

Compromise offered

At this crisis Archbishop Warham was authorized to offer a further compromise on the part of the King. He would accept the words of the preamble if they ran thus: "of the English Church and clergy, whereof we recognise his Majesty as the sole protector, the only and supreme governor, and even, *so far as the law of Christ will allow*, the supreme head."[9] To this Fisher said he would consent, on condition that what the King had promised was also inserted in the document, viz., that he would never assume any more jurisdiction than his predecessor, on the strength of the title thus recognised.[1] This being reported to the King, he went into a furious passion, and required an unconditional surrender to his original terms: "he would have no *quantums* or *tantums* in the business: let it be

but afterwards refused

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[9] Ecclesiæ et cleri Anglicani, cujus singularem protectorem unicum et supremum dominum, et *quantum per Christi legem licet*, etiam supremum caput, ipsius majestatem recognoscimus." Wilkins' Conc., iii. 725.

[1] Fisher appears to have thought that the King claimed more than he did: for he stated in his speech that the headship of the church consisted of (1) the power of binding and loosing, and (2) the duty and privilege of feeding Christ's flock. "Can any of us say to the King *Pasce oves?*" Whether he would have assented more readily had he more clearly understood what the King *professed* to claim is another question. Sanders (pp. 72, 73) says that Fisher took the subsequent oath of supremacy, but afterwards regretted he had done so.

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done."[2] The lower house of Convocation, however, resolved unanimously that they neither would nor could grant the supremacy, without the qualifying clause "quantum per Christi legem licet;" so the King was obliged once more to give way.

Convocation stands out

The matter had been so much discussed, that every one's opinion was known, and it was not considered necessary to take a vote of Convocation. "Whosoever is silent," said the Archbishop,[3] "gives consent." "Then we are all silent," was the reply; and by whomsoever it was made, it doubtless expressed the general sense of the Convocation, for no voice was heard to contradict the assent thus signified. The King, however, was not satisfied with a silent assent, and required a definite vote of the two houses: so the Convocation met again in the afternoon to take it. Nine bishops, sixty-two abbots and priors, with thirty-six members of the lower house who were present, and forty-eight proxies, made up one hundred and fifty-five votes in favour of the preamble as it had been modified; and no dissentients are named. Thus the Convocation of Canterbury, by adopting these words in a document of so

and accepts the *limited* title of "Supreme Head"

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[2] Baily's Life of Fisher, pp. 122-124.

[3] When Cranmer was replying to an attack made upon him at the examination preceding his degradation at Oxford by Brookes, Bishop of Gloucester, he seemed to say that Warham showed some zeal in furthering the matter. "The truth is," said Cranmer, "that my predecessor, Archbishop Warham, gave the supremacy to King Henry the Eighth, and said that he ought to have it before the Bishop of Rome, and that God's word would bear him. And upon the same was there sent unto both the universities, Oxford and Cambridge, to know what the word of God would do touching the supremacy, and it was reasoned and argued at length. So at the last both Universities agreed and set to their seals, and sent it to King Henry the Eighth to the court that he ought to be supreme head, and not the pope." [Jenkyns' Cranmer, iv. 88.] It is fair to add that Dr. Jenkyns doubts the accuracy of the report in which this examination of Cranmer is contained.

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much importance, officially "recognised" the supremacy of the Crown over all persons, ecclesiastical as well as secular, on February 11, 1531. The same thing has been better expressed in later times in such terms as "supreme governor in these his realms, and all other his dominions and countries, over all persons, in all causes, as well ecclesiastical as temporal."[4]

The Convocation of York assented less willingly to this important clause of the preamble; probably because it came under discussion some weeks after it had passed the Southern Convocation, and in the interval circumstances had arisen which showed that even its modified form was capable of a mischievous interpretation. They at last agreed to adopt it on May 4, 1531, but Tunstal, Bishop of Durham, who presided over that Convocation during the vacancy of the See of York, left on record a protest which is of great historical value, as showing in detail what were the objections entertained by the clergy to the assumption of such a title by the King.

Tunstal's protest against it

> "This clause seemed," said the Bishop, "to have an inoffensive appearance at the first view; but considering that some persons lately prosecuted upon suspicion of heresy, have interpreted these words to an ill sense, questioned the jurisdiction of their ordinaries, and endeavoured to shelter themselves from the censures of the Church: for this reason I conceive this recognition ought to be couched in terms more precise and distinguishing. For if the words hold forth no more than this meaning, that the King is, under Christ, supreme head in his dominions, and particularly of the English clergy in temporal matters; this, *as it is nothing more than we are all willing to acknowledge*, so to prevent all misconstructions from heretics, the clause should be put in clear and decisive language. But on the other hand, if we are to

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[4] Canon lv., the "Bidding Prayer."

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understand that the King is supreme head of the Church, both in spirituals and temporals, and that this supremacy is conferred on him by the laws of the Gospel—for thus some heterodox and malevolent persons construe the proviso, 'quantum per Christi legem licet'—then this construction being repugnant, as I conceive, to the doctrine of the Catholic Church, I must dissent from it. And notwithstanding the clause of 'quantum per Christi legem licet' may be taken by way of limitation and restriction, yet because the proposition is still somewhat involved, I think it ought to be further discharged from ambiguity. For 'supreme head of the Church' carries a complicated and mysterious meaning: for this title may either relate to spirituals or temporals, or both. Now when a proposition is thus comprehensive and big with several meanings, there is no returning a single and categorical answer. And therefore, that we may not give scandal to weak brethren, I conceive this acknowledgment of the King's supreme headship should be so carefully expressed as to point wholly upon civil and secular jurisdiction. And, *with this explanation, the English clergy, and particularly myself, are willing to go the utmost length in the recognition.* But since the clause is not at present thus guarded and explained, I must declare my dissent; and desire my protestation may be entered upon the journal of the Convocation."[5]

The King's answer to Tunstal

A paper of the King's is in existence[6] which is a reply to some of these arguments, and was, perhaps, written in answer to Tunstal's protest. In this the King labours chiefly to prove that bishops and priests are only not answerable to their sovereign in respect to their sacerdotal functions, "but when their embassy is over they lessen into a private condition; their public character sleeps, and they acknowledge the civil magistrate for their sovereign:" the clergy being subject to him in regard to homage and allegiance, their estates, and their general submission to laws enacted for the punishment of crime. What Tunstal required, and what was wished for by the Southern Convocation at large was, that the clause itself might be so worded as clearly to express the principles which are thus enunciated by the King. That it did not do so is sufficiently evident from the contemporary and subsequent misinterpretations given to the title "Head of the Church."

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[5] Wilkins' Conc., iii. 745.

[6] Cabala, p. 227. Atterbury's Rights, &c., 519.

Cost of the King's "tender eye, mercy and compassion"

When these Acts of Convocation had been passed, and the money thus voted to the King as "Head of the Church and Clergy, so far as the law of Christ will allow," the King's pardon was embodied in two Acts of Parliament,[7] a third being passed for the pardon of the laity,[8] and thus the whole nation was happily delivered (at the cost of a million and a half of money to the clergy) from their danger, through the "tender eye, mercy, and compassion," the "tender pity, love, and compassion," the "benignity, special grace, pity, and liberality," which the documents declared to be so characteristic of his Highness. These pardons have been well called "prodigies of legislation," the writer who so calls them adding not unjustly that "they disclose, through the veil of mercy, Henry's injustice, rapacity, violence, and deceit."[9]

This incidental recognition of the royal supremacy thus made in 1531, was followed in 1532 by a more

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[7] 22 Hen. VIII. cap. 15; 23 Hen. VIII. cap. 19.

[8] 22 Hen. VIII. cap. 15.

[9] Amos' Statutes of Hen. VIII. p. 57. The revival of the monstrous penalty of the Præmunire was characteristically threatened in 1848 by Lord Russell when Dean Merewether refused to elect Dr. Hampden Bishop of Hereford. Loud talkers about the liberty of subjects in the gross often deal very tyrannically with subjects in detail.

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definite acknowledgment of it, which is generally called the "Submission of the Clergy," and which was afterwards embodied in an Act of Parliament.

The "submission of the clergy"

As soon as Wolsey had left London after his fall, an agitation against the clergy was commenced in the House of Commons. It was led on by Audley, who succeeded Sir Thomas More as speaker, and by Cromwell, both of whom profited enormously by every step that was taken in depressing the Church, and both of whom were among the most servile instruments of the King in a House of Commons which was always extremely ready to act under his orders. This agitation was brought to a focus in an address presented to the King by the House of Commons on March 18, 1532.[1] The acts of the Lower House were at this time so much the acts of the King,[2] that we are not likely to be far from the truth in considering it as founded upon his instructions, conveyed through Cromwell or Audley, or both. The address is a long and wordy document, but it is worth printing at length, as it probably shows, and that in extreme language, the worst that the opponents of the bishops could venture officially to say against them in respect to their relations with the laity:[3]—

Address of the House of Commons against the Ordinaries

"TO THE KING OUR SOVEREIGN LORD.

"In most humble wise show unto your Highness and your most prudent wisdom your faithful, loving, and most obedient servants the Commons in this your present parliament assembled; that of late, as well through new fantastical and erroneous opinions grown by occasion of frantic seditious books compiled, imprinted, published, and made in the English tongue, contrary and against the very true Catholic and Christian faith; as also by the extreme and uncharitable behaviour and dealing of divers ordinaries, their commissaries and sumners, which have heretofore had, and yet have the examination in and upon the said errours and heretical opinions; much discord, variance, and debate hath risen, and more and more daily is like to increase and ensue amongst the universal sort of your said subjects, as well spiritual as temporal, each against the other—in most uncharitable manner, to the great inquietation, vexation, and breach of your peace within this your most Catholic Realm:

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[1] Herbert's Henry VIII., p. 357.

[2] See Amos' Statutes of Hen. VIII., p. 2.

[3] It has been printed in Froude's History of England, i. 189, but with the date Nov. 5, 1529, two and a half years too early.

"The special particular griefs whereof, which most principally concern your Commons and lay subjects, and which are, as they undoubtedly suppose, the very chief fountains, occasions, and causes that daily breedeth and nourisheth the said seditious factions, deadly hatred, and most uncharitable part taking, of either part of said subjects spiritual and temporal against the other, followingly do ensue.—

Canons made without assent of Crown and laity

"I. First the prelates and spiritual ordinaries of this your most excellent Realm of England, and the clergy of the same, have in their convocations heretofore made or caused to be made, and also daily do make many and divers fashions of laws, constitutions, and ordinances, without your knowledge or most Royal assent, and without the assent and consent of any of your lay subjects; unto the which laws your said lay subjects have not only heretofore been and daily be constrained to obey, in their bodies, goods, and possessions; but have also been compelled to incur daily into the censures of the same, and been continually put to importable charges and expenses, against all equity, right, and good conscience. And yet your said humble subjects ne their predecessors could ever be privy to the said laws; ne any of the said laws have been declared unto them in the English tongue, or otherwise published, by knowledge whereof they might have eschewed the penalties, dangers, or censures of the same; which laws so made your said most humble and obedient servants, under the supportation of your Majesty, suppose to be not only to the diminution and derogation of your imperial jurisdiction and prerogative royal, but also to the great prejudice, inquietation, and damage of your said subjects.

Diminished number of proctors

"II. Also, now of late there hath been devised by the Most Reverend Father in God, William, Archbishop of Canterbury, that in the courts which he calleth his Courts of the Arches and Audience, shall only be ten proctors at his deputation, which be sworn to preserve and promote the only jurisdiction of his said courts; by reason whereof, if any of your lay subjects should have any lawful cause against the judges of the said courts, or any doctors or proctors of the same, or any of their friends and adherents, they can ne may in nowise have indifferent counsel: and also all the causes depending in any of the said courts may by the confederacy of the said few proctors be in such wise tracted and delayed, as your subjects suing in the same shall be put to importable charges, costs, and expence. And further, in case that any matter there being preferred should touch your crown, your regal jurisdiction, and prerogative Royal, yet the same shall not be disclosed by any of the said proctors for fear of the loss of their offices. Your most obedient subjects do therefore, under protection of your Majesty, suppose that your Highness should have the nomination of some convenient number of proctors to be always attendant upon the said Courts of Arches and Audience, there to be sworn to the preferment of your jurisdiction and prerogative, and to the expedition of the causes of your lay subjects repairing and suing to the same.

Too strict exercise of Church discipline

"III. And also many of your said most humble and obedient subjects, and specially those that be of the poorest sort, within this your Realm, be daily convented and called before the said spiritual ordinaries, their commissaries and substitutes, *ex officio;* sometimes, at the pleasure of the said ordinaries, for malice without any cause; and sometimes at the only promotion and accusement of their summoners and apparitors, being light and undiscreet persons; without any lawful cause of accusation, or credible fame proved against them, and without any presentment in the visitation: and your said poor subjects be thus inquieted, disturbed, vexed, troubled, and put to excessive and importable charges for them to bear—and many times be suspended and excommunicate for small and light causes upon the only certificate of the proctors of the adversaries, made under a feigned seal which every proctor hath in his keeping; whereas the party suspended or excommunicate many times never had any warning; and yet when he shall be absolved, if it be out of court, he shall be compelled to pay to his own proctor twenty pence; to the proctor which is against him other twenty pence, and twenty pence to the scribe, besides a privy reward that the judge shall have, to the great impoverishing of your said poor lay subjects.

Excessive fees of ecclesiastical courts

"IV. Also your said most humble and obedient servants find themselves grieved with the great and excessive fees taken in the said spiritual courts, and especially in the said Courts of the Arches and Audience; where they take for every citation two shillings and sixpence; for every inhibition six shillings and eightpence; for every proxy sixteen pence; for every certificate sixteen pence; for every libel three shillings and fourpence; for every answer for every libel three shillings and fourpence; for every act, if it be but two words according to the register, fourpence; for every personal citation or decree three shillings and fourpence; for every sentence or judgment, to the judge twenty-six shillings and eightpence; for every testament upon such sentence or judgment twenty-six shillings and eightpence; for every significavit twelve shillings; for every commission to examine witnesses twelve shillings, which charges be thought importable to be borne by your said subjects, and very necessary to be reformed.

Fees required by clergy for "occasional duty"

"V. And also the said prelates and ordinaries daily do permit and suffer the parsons, vicars, curates, parish priests, and other spiritual persons having cure of souls within this your Realm, to exact and take of your humble servants divers sums of money for the sacraments and sacramentals of Holy Church, sometimes denying the same without they be first paid the said sums of money, which sacraments and sacramentals your said most humble and obedient subjects, under protection of your Highness, do suppose and think ought to be in most reverend charitable and godly wise freely ministered unto them at all times requisite, without denial, or exaction of any manner of sums of money to be demanded or asked for the same.

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Trouble and fees in the proving of wills

"VI. And also in the spiritual courts of the said prelates and ordinaries there be limited and appointed so many judges, scribes, apparitors, summoners, appraysers, and other ministers for the approbation of testaments, which covet so much their own private lucres, and the satisfaction and appetites of the said prelates and ordinaries, that when any of your said loving subjects do repair to any of the said courts for the probate of any testaments, they do in such wise make so long delays, or excessively do take of them so large fees and rewards for the same as is importable for them to bear, directly against all justice, law, equity, and good conscience. Therefore your most humble and obedient subjects do, under your gracious correction and supportation, suppose it were very necessary that the said ordinaries in their deputation of judges should be bound to appoint and assign such discreet, gracious, and honest persons, having sufficient learning, wit, discretion, and understanding; and also being endowed with such spiritual promotion, stipend, and salary; as they being judges in their said courts might and may minister to every person repairing to the same, justice—without taking any manner of fee or reward for any manner of sentence or judgment to be given before them.

Fees for Institution and Induction

"VII. And also divers spiritual persons being presented as well by your Highness as others within this your Realm to divers benefices or other spiritual promotions, the said ordinaries and their ministers do not only take of them for their letters of institution and induction many large sums of money and rewards; but also do pact and covenant with the same, taking sure bonds for their indemnity to answer to the said ordinaries for the firstfruits of their said benefices after their institution—so as they, being once presented or promoted, as aforesaid, are by the said ordinaries very uncharitably handled to their no little hindrance and impoverishment; which your said subjects suppose not only to be against all laws, right, and good conscience, but also to be simony, and contrary to the laws of God.

Nepotism of dignitaries

"VIII. And also the said spiritual ordinaries do daily confer and give sundry benefices unto certain young folks, calling them their nephews or kinsfolk, being in their minority and within age, not apt ne able to serve the cure of any such benefice; whereby the said ordinaries do keep and detain the fruits and profits of the same benefices in their own hands, and thereby accumulate to themselves right great and large sums of money and yearly profits to the most pernicious example of your said lay subjects—and so the cures and promotions given unto such infants be only employed to the enriching of the said ordinaries; and the poor silly souls of your people, which should be taught in the parishes given as aforesaid, for lack of good curates to perish without doctrine or any good teaching.

Excessive number of Holydays

"IX. Also, a great number of holydays now at this present time, with very small devotion, be solemnised and kept throughout this your Realm, upon the which many great, abominable, and execrable vices, idle and wanton sports, be used and exercised, which holydays, if it may stand with your Grace's pleasure, and specially such as fall in the harvest might, by your Majesty, with the advice of your most honourable council, prelates, and ordinaries, be made fewer in number; and those that shall be hereafter ordained to stand and continue, might and may be the more devoutly, religiously, and reverendly observed to the laud of Almighty God, and to the increase of your high honour and favour.

Unjust accusations and imprisonments

"X. And furthermore the said spiritual ordinaries, their commissaries and substitutes, sometimes for their own pleasure, sometimes by the sinister procurement of other spiritual persons, use to make out process against divers of your said subjects, and thereby compel them to appear before themselves, to answer at a certain day and place to such articles as by them shall be, *ex officio,* then proposed; and that secretly and not in open places; and forthwith upon their appearance without any declaration made or showed, commit and send them to ward, sometimes for [half] a year, sometimes for a whole year or more before they may in any wise know either the cause of their imprisonment or the name of their accuser; and finally after their great costs and charges therein, when all is examined and nothing can be proved against them, but they clearly innocent for any fault or crime that can be laid unto them, they be again set at large without any recompence or amends in that behalf to be towards them adjudged.

"XI. And also if percase upon the said process and appearance any party be upon the said matter, cause, or examination, brought forth and named, either as party or witness, and then upon the proof and trial thereof be not able to prove and verify the said accusation and testimony against the party accused, then the person so accused is for the more part without any remedy for his charges and wrongful vexation to be towards him adjudged and recovered.

Unfair treatment of persons charged with heresy

"XII. Also upon the examination of the said accusation, if heresy be ordinarily laid unto the charge of the parties so accused, then the said ordinaries or their ministers use to put to them such subtle interrogatories concerning the high mysteries of our faith, as are able quickly to trap a simple unlearned, or yet a well-witted layman without learning, and bring them by such sinister introductions soon to their own confusion. And further, if their chance any heresy to be by such subtle policy, by any person confessed in words, and yet never committed neither in thought nor deed, then put they, without further favour, the said person either to make his purgation, and so thereby to loose his honesty and credence for ever; or else as some simple silly soul [may do] the said person may stand precisely to the testimony of his own well-known conscience, rather than confess his innocent truth in that behalf [to be other than he knows it to be], and so be utterly destroyed. And if it fortune the said party so accused to deny the said accusation, and to put his adversaries to prove the same as being untrue, forged and imagined against him, then for the most part such witnesses as are brought forth for the same, be they but two in number, never so sore diffamed, of little truth or credence, they shall be allowed and enabled, only by discretion of the said ordinaries, their commissaries or substitutes; and thereupon sufficient cause be found to proceed to judgment, to deliver the party so accused either to secular hands, after abjuration, without remedy; or afore if he submit himself, as best happeneth, he shall have to make his purgation and bear a faggot, to his extreme shame and undoing.

"In consideration of all these things, most gracious Sovereign Lord, and forasmuch as there is at this present time, and by a few years past hath been outrageous violence on the one part and much default and lack of patient sufferance, charity, and good will on the other part; and consequently a marvellous disorder of the godly quiet, peace, and tranquillity in which this your Realm heretofore, ever hitherto, has been through your politic wisdom, most honourable fame, and catholic faith inviolably preserved; it may therefore, most benign Sovereign Lord, like your excellent goodness for the tender and universally indifferent zeal, benign love and favour which your Highness beareth towards both the said parties, that the said articles (if they shall be by your most clear and perfect judgment, thought any instrument of the said disorders and factions), being deeply and weightily after your accustomed ways and manner, searched and considered; graciously to provide (all violence on both sides utterly and clearly set apart) some such necessary and behoveful remedies as may effectually reconcile and bring in perpetual unity, your said subjects, spiritual and temporal; and for the establishment thereof, to make and ordain on both sides such strait laws against transgressors and offenders as shall be too heavy, dangerous, and weighty for them, or any of them, to bear, suffer, and sustain.

The King besought to remedy these evils

"Whereunto your said Commons most humbly and entirely beseech your Grace, as the only Head, Sovereign Lord, and Protector of both the said parties, in whom and by whom the only and sole redress, reformation, and remedy herein absolutely resteth [of your goodness to consent]. By occasion whereof all your Commons in their conscience surely account that, beside the marvellous fervent love that your Highness shall thereby engender in their hearts towards your Grace, ye shall do the most princely feat, and show the most honourable and charitable precedent and mirrour that ever did sovereign lord upon his subjects; and therewithal merit and deserve of our merciful God eternal bliss—whose goodness grant your Grace in goodly, princely, and honourable estate long to reign, prosper, and continue as the Sovereign Lord over all your said most humble and obedient servants."

By doing which he will merit eternal bliss

CHAP IV

A.D. 1532

The Commons' address sent to Convocation

When the Convocation of Canterbury met in the Chapter House of Westminster, on April 12, 1532, this memorial of the House of Commons (which had been placed in the hands of Archbishop Warham some time before, and had, doubtless, been talked over by the Bishops) was handed down to the Prolocutor with a direction to the lower house to take it into immediate consideration, as the King required a reply as soon as possible.

Analysis of the address

It will be observed, by carefully analyzing the complaints here made respecting the bishops and their subordinates, that they may all be reduced to a few principal heads, notwithstanding the length to which the verbose document is spun out. 1. There is a great deal of discord among the King's subjects in regard to religion. 2. The Convocations make canons without the consent of the King and the laity, and these canons are not so published as that the laity may become acquainted with them. 3. There is much vexation, trouble, and expense connected with the bishops' courts, and especially too few proctors and too many fees. 4. The clergy take fees for "occasional duty," and some of them fill secular offices in the establishments of the bishops. 5. The bishops make simoniacal contracts in presenting to benefices, and fill too many with their relatives. 6. There are too many holydays. Familiar as we are in these days with the reports of royal commissions on the army, the navy, and other national institutions, this address of the Commons—or "accusation of the clergy," as it has been called—does not seem more formidable than any hostile representation of supposed Church abuses might be made at the present day, or in any church throughout the world.

Its charges not very formidable

A commission of subalterns reporting on the practice of promotion in the army could doubtless make out a case that would look very bad, until it was met by explanations from the War Office; and a commission of suitors would probably report very unfavourably respecting the fees taken by officers of the Court of Chancery. If such commissions were pledged, moreover, to foregone conclusions by pressure from above to which they were willing to yield, we should not attach much weight to their reports.

Accusations answered by Convocation

Convocation, however, felt it necessary to take the report before us into their deliberate consideration, and it was answered clause by clause. Probably the bishops had already prepared the draft of an answer, and on this the reply of Convocation was founded. This reply was addressed to the King, and was agreed to in the upper house of Convocation on April 15th, in the lower on April 19th. It was presented to the King, who forwarded it to Speaker Audley with a significant notification that it was not to be accepted as satisfactory. "We think this answer," wrote the King, "will smally please you, for it seemeth to us very slender. You be a great sort of wise men; I doubt not you will look circumspectly on the matter, and we will be indifferent between you."

In an address to the Crown

And yet, the address of Convocation was a very fair reply to the charges brought against the bishops and clergy. It was quite as long as the address of the Commons, necessarily recapitulating a great deal of what they had said. Instead of further burdening these pages, its substance only, therefore, may be given, especially as its text does not offer any further illustration of the abuses alleged against the Church.

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As regards the "discords, variance, and debate" about religion, which the bishops and ordinaries are said to have caused, they reply that it is a mistake to charge them with these, since it is sufficiently evident that they have been caused by "evil disposed persons infected with the pestilent poison of heresy," and that when any of these have been dealt with by the bishops, the latter have only administered the laws they were obliged to administer, and against those with whom to be at peace would be to forego their duty. As to the canons ecclesiastical, the authority of the Convocation to make these is grounded on Holy Scripture and the authority of the Church, and these are the basis also of the laws which have been made. They do not believe that any canons can be found which cannot be justified by this rule and square, if honestly interpreted according to the sense of their imposers: but, if such are to be found, they will not be remiss in reforming them according to the determination of Scripture and the Church. So, also, they hope in God, and will daily pray that the King will, if like cause appear, advise with his Parliament for the purpose of tempering secular laws to the same standard of Scripture and the Church; "whereby shall ensue a most sure and hearty conjunction and agreement; God being *lapis angularis*."[4] In such

Analysis of the reply

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[4] It is impossible to pass by the wanton manner in which this is perverted by Mr. Froude, who represents that the bishops called upon the king to remove any discrepancies between the civil and ecclesiastical laws by altering the former till they agreed with the latter. "His Majesty," says this historian, "was desired to produce the wished for uniformity by altering the laws of the Realm; and although the Bishops might not submit their laws to his Majesty's approval, they would be happy, they told him, to consider such suggestions as he might think proper to make." Froude's History of England, i. 225.

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things as specially belong to their duty as certainly prescribed to them by God they cannot waive their responsibility: yet, they humbly desire the King to state to them his "mind and opinion" as he has hitherto done, and they will most gladly give effect to his wishes and directions if it should please God to inspire them to do so. The last expression is used with reference, it need hardly be said, to the recognised principle[5] that a synod of bishops, or of bishops and clergy, solemnly and lawfully assembled, is under the guidance of the Holy Ghost.

In respect to the extortions alleged against them, the reply states that no cases are known to them in which there has been any deviation from the law. But they desire it to be remembered that though "God of His spiritual goodness assisteth His Church, and inspireth by the Holy Ghost, as we verily trust, such rules and laws as tend to the wealth of His elect folk; yet upon considerations to man unknown, His infinite wisdom leaveth or permitteth men to walk in their infirmity and frailty; so that we cannot, nor will not, arrogantly presume of ourselves, as though being in name spiritual men, we were also in all our acts and doings clean and void from all temporal affections and carnality of this world; or that the laws of the Church made for spiritual and ghostly purpose be not sometime applied to worldly intent." Nevertheless, the offenders and offences should be specified; "for though *in multis offendimus omnes,* as St. James saith, yet not *in omnibus offendimus omnes,* and the whole number can neither justify nor condemn particular acts to them unknown but thus."

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[5] See Act of Uniformity [2 & 3 Edw. VI. c. i.] for its recognition.

Respecting heresy, the bishops and clergy reply, that they are thankful to say no notable cases have arisen in their time, in which the person or the circumstances could have given any ground for a charge of unfairness. It is true, that some far from respectable foreigners, "certain apostates, friars, monks, lewd priests, bankrupt merchants, vagabonds, and lewd, idle fellows of corrupt intent, have embraced the abominable and erroneous opinions lately sprung in Germany, and by them some have been seduced in simplicity and ignorance." If any wrong has been done to those so seduced, or if, on the other hand, the bishops themselves have been remiss in doing their duty, right ought to be done; but no cases had been specified by the Commons, and mere general charges were difficult to answer. Of one thing the clergy are certain, that there is no necessity for making "the more dreadful and terrible laws" against heresy, which the House of Commons desires: for the statutes are quite sufficient as they stand.[6]

Archbishop Warham makes his own reply to the charges respecting extortion in his courts, and says that he had sometime ago reduced some of the fees of the officers by half and two-thirds, and others he had extinguished altogether. But he reminds the King that the civil lawyers are constantly employed on public business, with reference to treaties, truces, confederations, and leagues devised and concluded with foreign courts: and that, if their profession is discouraged, the want of such learned men would be a great national loss.

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[6] It is curious to observe that persecuting measures have so frequently been initiated by the laity. Further illustrations of the fact will be found in what is said respecting the "Act of the Six Articles" in this and in Queen Mary's reign.

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To all the other charges the Convocation replies substantially by saying, that if they could be proved no doubt the wrong-doers ought to be punished; but they imply that in their opinion the Commons have much exaggerated their grievances, and have made their charges general because they could not prove them against any particular persons, or in any definite instances.

The Commons fairly answered

This reply of the Convocation to the attack thus made upon the clergy by a dominant faction in the House of Commons, bears abundant marks of being framed by just-minded men, who had a keen sense of their responsibility to God for the due execution of their offices. It explained some of the charges, and showed that they were made on mistaken grounds: it justified others on the plea that the law enjoined and compelled the ordinaries to do that of which complaints were made; and it claimed for the clergy, equally with the Commons, a desire for justice to be done on any proved offenders. It was such a reply as should have met with respectful attention, and have led to further inquiry. But it was not at all what the King wanted, so he sent it down to the speaker with the contemptuous message previously given, and then acted as if it had never been written.

But the answer utterly disregarded

What the King did want was that the Convocation should commit itself to so entire a subjugation of its authority to the control of the Crown that there should be no possibility of its maintaining the freedom of the Church against the tyranny of the King. He therefore caused a form of "submission" to be set before the Convocation, through Fox, Bishop of

The King's ultimatum to the clergy

A.D. 1532

Hereford (who was then Almoner to the King), as a kind of *ultimatum*. This contained three "Articles:" Firstly, That no canon should be passed in future without the royal authority, assent, advice, and favour sought and obtained. Secondly, That many of the canons interfering with the royal prerogative, and being onerous to the King's subjects, a commission of thirty-two persons, equally taken from Parliament and Convocation, should be selected by the King, and appointed to examine them, and repeal as many as they thought proper. Thirdly, That other canons should stand good only when they had been endorsed with the royal assent.

Debate respecting it

These three articles were laid before both Houses on May 10, 1532, and the debate arising upon them ended in the appointment of a deputation, consisting of the Bishops of Lincoln and Bath, the Abbots of Westminster and St. Bennet's (Norwich), with four doctors of divinity and two of civil law from the Lower House, who were to consult the aged Fisher, Bishop of Rochester, on the subject. On hearing of this Henry was highly offended, and sending again for the pliant Audley (still speaker of the House of Commons until this business was completed), the King told him that he saw the clergy were but half his subjects. To make his meaning and his object plain, he ordered Audley to read to the House of Commons the two oaths taken to himself and the Pope respectively by the clergy; no doubt with the intention of forcing the latter to submission through fear of another præmunire.

Conference of Convocation and Privy Council

During the two or three days following there was much debate in both houses, several messages from the King, and a conference between the Upper

House and six lay peers (the Duke of Norfolk, the Marquis of Exeter, the Earl of Oxford, Lord Sands, Lord Boleyn, and Lord Rochford) sent to them from the King. The object of this conference was to compel the Convocation to give up all the existing canons of the Church into the hands of the King, so that none of them could be valid in future unless they had received his assent. This pointed simply to an entire confiscation of all the existing Church laws, and the bishops resolutely declined, whatever might be the consequences, to consent to such terms. Obstinate and tyrannical as the King was he could not enforce his will against such an united front as this, and he sent back the six lords with a message to the effect that the obnoxious clause would not be insisted on. Some technical confusion now arose between the two houses, and two forms of submission were subscribed by them, slightly differing in the concluding paragraph. That subscribed by the Upper House was the one presented to the King, and it is to be supposed that the signatures of the Lower House were either taken for granted, or considered unnecessary, for they were not laid before him.

Extravagant demands of the King

effectually resisted by union of the bishops

The document itself, which is of much importance, as defining the relations between the Crown and Convocation, is as follows,—omitting the Latin preamble and the subscriptions. It is entitled "*Instrumentum super Submissione Cleri coram Domino Rege quoad celebrationem Conciliorum Provincialium.*"

The Act of Convocation respecting canons

"We, your most humble subjects, daily orators, and beadsmen of your clergy of England, having one special trust and confidence in your most excellent wisdom, your princely goodness, and fervent zeal to the promotion of God's honour and Christian religion, and also in your learning, far exceeding in our judgment the learning of all other kings and princes that we have read of, and doubting nothing, but that the same shall continue and daily increase in your Majesty:

Royal license necessary for Convocation to act

"*First*, Do offer and promise, in verbo sacerdotii, here unto your Highness, submitting ourselves most humbly to the same, that we will never from henceforth, enact, put in ure, promulge, or execute any new canons, or constitutions provincial, or any new ordinance, provincial or synodal, in our convocation, or synod, in time coming (which convocation is, always hath been, and must be assembled only by your high commandment of writ), only your Highness, by your royal assent shall license us to assemble our convocation, and to make, promulge, and execute such constitutions and ordinaments as shall be made in the same; and thereto give your royal assent and authority.

Existing canon law to be reviewed by a commission

Secondarily, That whereas divers of the constitutions, ordinaments, and canons, provincial or synodal, which hath been heretofore enacted, be thought to be not only much prejudicial to your prerogative royal, but also overmuch onerous to your Highness's subjects, your clergy aforesaid is contented, if it may stand so with your Highness's pleasure, that it be committed to the examination and judgment of your Grace and of thirty-two persons, whereof sixteen to be of the upper and nether house of the temporalty, and other sixteen of the clergy; all to be chosen and appointed by your most noble Grace; so that, finally, which soever of the said constitutions, ordinaments, or canons, provincial or synodal, shall be thought and determined by your Grace, and by the most part of the said thirty-two persons, not to stand with God's laws and the laws of your realm, the same to be abrogated, and taken away by your Grace and the clergy. And such of them as shall be seen by your Grace and by the most part of the said thirty-two persons, to stand with God's laws and the laws of your realm, to stand in full strength and power, your Grace's most royal assent and authority once impetrate, and fully given to the same."[7]

This form of "Submission" was subscribed on

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[7] Wilkins' Conc., iii. 754.

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May 15, 1532, and was embodied in the "Act of Submission," 25 Hen. VIII. cap. 19, passed at the end of the year 1533, of which it forms the preamble: the enacting clause being in agreement with it. The Act further enacted that all canons ecclesiastical which were in force at the time it was passed, should continue in force (provided they did not clash with the laws of the realm or the King's prerogative) until further legislation abolished them. That further legislation never took place, and consequently, the ancient Canon Law of the Church of England still holds good where it is not contrary to the Statute Law, and does not interfere with the rights of the Crown.[8] Although the power to appoint the thirty-two commissioners was renewed two years afterwards, again by 27 Hen. VIII., cap. 15, and again in 1544, the King seems to have shrunk from actual interference with the Canon Law, contented probably with the power of vetoing any part of it when it became obnoxious to him, and caring nothing for its reformation on any other grounds. The commission was ultimately appointed by Edward VI. in 1551, but the number of commissioners was afterwards reduced to eight. The result of their labours, happily, never received any confirmation from higher authority, and has no legal force; but it is well known to the historical student as a volume entitled "*Reformatio Legum Ecclesiasticarum.*" Perhaps the secular power has ever since been willing rather to leave the Ecclesiastical Law in an indefinite form, than to bind itself down to the execution of a body of canons plainly authorized by the Church and the Crown.

Act of Convocation embodied in Act of Parliament

But canon law never altered

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[8] The Roman Canon Law never ran in England.

CHAP IV

A.D. 1534

The Act of Supremacy passed

The final step towards the re-establishment,[9] or statutory enactment, of the royal supremacy, was taken in the autumn session of Parliament, 1534. The King had hitherto been content with the "recognition" of it which had been passed by the Convocations of Canterbury and York in 1532. But the Pope had now acted on the appeal of Queen Catherine, thus coming into direct collision with the law against appeals to him which had been passed in the previous year, and had exasperated the King by reversing Cranmer's sentence of divorce. On June 9th following, a royal proclamation was issued, ordering the Pope's name to be removed from all the Service Books, and forbidding the mention of it in any prayers. Parliament met on November 3rd, and hurriedly passed the Act of Supremacy, 26 Hen. VIII. cap. 1, giving force to the recognition of the title "Supreme Head, under Christ, of the Church of England:" and defining, with terrible comprehensiveness, what the King, at least, meant it to mean.

Prayers for the Pope forbidden

This famous Act recites that—

"Albeit the King's Majesty justly and rightfully is and ought to be the Supreme Head of the Church of England, and so is recognised by the clergy of this realm in their convocation,[1] yet nevertheless, for corroboration and confirmation thereof, and for increase of virtue in Christ's religion within this realm of England, and to repress and extirp all errours, heresies, and other enormities and abuses heretofore used in the same; be it enacted, by authority of this present parliament, that the King our Sovereign Lord, his heirs and successors, kings of this realm, shall be taken, accepted, and reputed the only Supreme Head in earth of the Church of England, called *Anglicana Ecclesia*, and shall have and enjoy annexed and united to the imperial crown of this realm, as well the title and style thereof as all the honours, dignities, pre-eminences, jurisdictions, authorities, immunities, profits, and commodities, to the said dignity belonging and appertaining; and that our said Sovereign Lord, his heirs and successors, kings of this realm, shall have full power and authority to visit, repress, redress, reform, order, correct, restrain, and amend all such errours, heresies, abuses, contempts, and enormities, whatsoever they be, which by any manner of spiritual authority or jurisdiction ought or may lawfully be reformed—most to the pleasure of Almighty God, the increase of virtue in Christ's religion, and for the conservation of the peace, unity, and tranquillity of this realm—any usage, custom, foreign laws, foreign authority, prescription, or any other thing or things to the contrary hereof notwithstanding."

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[9] Gardiner, Bishop of Winchester, in his book *De Vera Obedientia* says "that no new thing was introduced when the King was declared to be Supreme Head; only the bishops, nobles, and clergy of England determined that a power which of Divine right belongs to their prince should be more clearly asserted by adopting a more significant expression." [Brown's Fasciculus, ii. 806.] In 1568 a long letter was printed which Tunstal acknowledged to Archbishop Parker fourteen days before his death had been written by him (when Bishop of Durham) and by Stokesley, Bishop of London, to Cardinal Pole while at Rome. This letter [See Knight's Life of Erasmus, App. pp. lxvi. xcvi.] is a vigorous defence of the royal supremacy, and disproves the papal supremacy from Scripture and ecclesiastical history.

The new title enacted

Supplementary Act establishing new treasons

The enormous power thus given to the King was not, however, sufficient to gratify his lust of tyranny: and a second Act [26 Hen. VIII. cap. 13] was passed by Parliament immediately afterwards, which made it high treason to "imagine, invent, practise, or attempt any bodily harm to be done or committed to the King's most royal person, the Queen's, or their heirs-apparent, *or to deprive them or any of them of the dignity, title, or name of their royal estates*, . . . and that all such persons, their aiders, counsellors, concertors, or abettors, being thereof lawfully con-

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[1] It will be observed that the important limitation clause "quantum per Christi legem licet" is dishonestly ignored.

CHAP IV

A.D. 1534

viet, according to the laws and customs of the realm, shall be adjudged traitors, and that every such offence in any of the premises, shall be adjudged high treason." Notwithstanding all the abject servility with which the House of Commons laid itself at the feet of Henry VIII., it certainly does excite surprise that such an Act could be allowed to pass: and it can scarcely be explained in any other way than by supposing Cromwell to have gained over a large party to vote as the King wished, by disclosing his shrewd plans for enriching the lay courtiers at the expense of the clergy. It disgraced the Statute Book only until the unscrupulous tyranny of Henry's reign had passed away, and was repealed immediately on the accession of his son, by 1 Edw. VI. cap. 12. While it stood there, many were dragged under its operation in the most unjust manner; and the land was deluged with the blood of good men who thought they would be doing dishonour to the true Head of the Church if they recognised the extravagant interpretations which were put upon the King's claim. For a time it formed the one great article of Henry's creed, and it was not difficult for him to find sordid men like Cromwell who were willing to assist him in compelling every one to bow down before the idol that had been set up, or else to die a death not less cruel than that of the Babylonian furnace.

Disgraceful servility of House of Commons

Results of transactions relating to enactment of Royal Supremacy

The effect of all the transactions relating to the royal supremacy, and culminating in the highly penal statute by which the Act of Supremacy was enforced, may be stated in a few words before closing this chapter.

An ancient right of the English Crown

1. The Convocations of both provinces had given synodal recognition to a principle always practically recognised in England, though much encroached upon by the usurped jurisdiction of the Popes. Sir Edward Coke, speaking of the acts of Henry VIII., says that "all ecclesiastical jurisdiction, though usurped, was now restored to the Crown:"[2] Blackstone, that the Crown was "restored to its supremacy over spiritual men and causes,"[3] and that "the Statute 25 Hen. VIII." (that of appeals) "was but declaratory of the ancient law of the realm."[4] The ancient lawyer, Bracton, to whom all deference was paid until Lord Coke's more modern authority superseded him, goes so far as to say, even in the thirteenth century, that "Rex est vicarius et minister Dei in terra: omnis quidem sub eo est, et ipse sub nullo, nisi tantum sub Deo." . . . "Sub Deo et sub lege, quia lex facit regem." . . . "Dei vicarius tam in spiritualibus quam in temporalibus."[5]

The constitutional limitations of the supremacy

2. But although the royal supremacy is part of the sovereign's prerogative it is no more without limitation than other parts of the prerogative. Even by the Statute 26 Hen. VIII. cap. 1, it is only made a *corrective* jurisdiction, and nothing is said about the *directive* jurisdiction by which the ordinary functions of the Church, when unaffected by offence or dispute, are discharged. Henry VIII., however, cast aside all such limitations whenever it suited him to do so, and especially by the unprecedented appoint-

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[2] Comyns' Digest, art. Prerogative, D. 11, 13.

[3] Blackstone's Comment., IV. 33, iv.

[4] Id. III. 5, vi.

[5] Book i. ch. 8. The Act 33 Edw. III. declares that the spiritual jurisdiction of kings is derived from a priestly character given to them by their unction at coronation.

ment of a lay "vicegerent," who was practically a lay Pope of England.

Repeal of Henry VIII. Statute

3. The Act of Supremacy remained in force only until 1553, being repealed by 1 and 2 Philip and Mary, cap. 8, and not revived by Queen Elizabeth, who, indeed, had a personal dislike to even a modified form of the title which it conferred on the sovereign.

Better enactment under Q. Elizabeth

4. The corrective jurisdiction of the Crown was re-established by Queen Elizabeth with a definite form of limitation which brought it into agreement with the ancient common law, and left no such loophole open for extreme tyranny as was provided by the undefined powers enumerated in the Act of Supremacy. And this is the more conspicuous since some of the wording of that Act is reproduced in the new Statute. The later Act is 1 Elizabeth, cap. 1, which provides (in section 17),—

> "That such jurisdictions, privileges, superiorities, and preeminences, spiritual and ecclesiastical, as by any spiritual or ecclesiastical power or authority hath heretofore been or may lawfully be exercised or used for the visitation of the ecclesiastical state and persons, and for reformation, order, and correction of the same, and of all manner of errors, heresies, schisms, abuses, offences, contempts, and enormities, shall for ever, by authority of this present Parliament, be united and annexed to the imperial crown of this realm."

The oath of supremacy

The nineteenth section of the same Act provided also an oath of supremacy, to be taken by all ecclesiastical persons, which begins with the following clause:—

> "I, A. B., do utterly testify and declare in my conscience that the Queen's Highness is the only supreme governor of this realm, and of all other her Highness's dominions and

countries, as well in all spiritual and ecclesiastical things or causes, as temporal."

But this clause was struck out by 1 William and Mary, cap. 8, and the repudiation of the supremacy of the Pope was alone retained.

Later interpretation of the Royal Supremacy

Thus it will be seen that the claims subsequently made by the Crown were verbally of a much more limited character than those made by Henry VIII., while the title "Supreme Head of the Church of England" was entirely dropped after being used for about a quarter of a century.[6] But the limitation in practice was far greater. Henry VIII. gave commissions to the bishops, and made his Vicegerent Cromwell the head of the Convocation of Canterbury, but no such outrages upon the Church were perpetrated by Elizabeth or any subsequent sovereigns of England. Henry's later view of the royal supremacy appears to have been that it contained within itself all the rights which had been claimed for the papal supremacy; but such a view was never recognised by any statute. Subsequent practice, as well as law, entirely restricts it to the restoration of ancient regal jurisdiction; that right by which the sovereign is the supreme administrator of the law over ecclesiastical as well as over secular persons. The "constitutions and canons ecclesiastical" of 1603 were *decreed and ordained* by the Convocation of Canterbury, and the Crown claimed

An executive not a legislative authority no further power respecting them than that of *assent and execution*, leaving the right of *legislation* entirely in the hands of the clergy.[7]

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[6] The titles of the Sovereign are prefixed to the Statutes in the Rolls of Parliament. This title appears among the rest from the year 1534 to the year 1553, and is never found there after that date. It appears once afterwards in the body of an Act of Parliament [2 & 3 Anne, cap. 11], the Queen Anne's Bounty Act, and was probably copied in thoughtlessly from the Acts of Henry VIII., which would need to be frequently referred to in drafting the act in question.

Assent to and promulgation of canons of A.D. 1603

"We," say the letters patent which publish these canons, "of our princely inclination and royal care for the maintenance of the present estate and government of the Church of England, by the laws of this our realm now settled and established, having diligently, with great contentment and comfort, read and considered of all these their said canons, orders, ordinances, and constitutions, agreed upon, as is before expressed; and finding the same such as we are persuaded will be very profitable, not only to our clergy, but to the whole Church of this our kingdom, and to all the true members of it, if they be well observed; have therefore for us, our heirs, and lawful successors, of our especial grace, certain knowledge, and mere motion, given, and by these presents do give our royal assent, according to the form of the said Statute or Act of Parliament aforesaid,[8] to all and every of the said canons, orders, ordinances, and constitutions, and to all and every thing in them contained, as they are before written.

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[7] Mr. Gladstone has well pointed out the distinction between the Sovereign's relation to the Parliament and to Convocation. "The Reformation Statutes did not leave the Convocation in the same condition relatively to the Crown as the Parliament. It was under more control; but its inherent and independent power was thereby more directly recognised. The King was not the head of Convocation; it was not merely his council. The Archbishop was its head, and summoned and prorogued it. It was not power, but leave, that this body had to seek from the Crown to make canons. A canon without the royal assent was already a canon, though without the force of law; but a bill which has passed the two houses is without a force of any kind, until that assent is given. Again the Royal assent is given to canons in the gross, to bills one by one, which well illustrates the difference between the control in the one case and the actuating and moving power in the other. But the language of these instruments respectively affords the clearest and the highest proof. In the Canons (Canon 1) we find the words 'We decree and ordain,' that is we the members of the two houses of Convocation. But in our laws, 'Be it enacted by the King's most excellent majesty, with the advice and consent of the lords, spiritual and temporal, and commons,'" &c., &c. [Gladstone on the Royal Supremacy, p. 31.]

[8] 25 Henry VIII. 19, the "Act of Appeals."

> "And furthermore, we do not only by our said prerogative royal, and supreme authority in causes ecclesiastical ratify, confirm, and establish, by these our letters patent, the said canons, orders, ordinances, and constitutions, and all and every thing in them contained, as is aforesaid; but do likewise propound, publish, and straightway enjoin and command by our said authority, and by these our letters patent, the same to be diligently observed, executed, and equally kept by all our loving subjects of this our kingdom both within the provinces of Canterbury and York, in all points wherein they do or may concern every or any of them, according to this our will and pleasure hereby signified and expressed."

Existing relation of Convocation and the Crown

The consideration and construction of canons is, therefore, even under the laws of Henry VIII., decided by precedent to be within the ordinary power of Convocation, sitting by the sovereign's license; but their legal *status* is given by the assent of the Crown, which also publishes, promulgates, and enjoins their observance by the same letters patent in which that assent is given. The power of refusing assent gives to the Crown, of course, a veto respecting Acts of Convocation similar to that which it possesses in respect to Acts of Parliament.

The four years of the Reformation period which have been considered in this chapter, were thus very eventful years as regards the relations of the Crown of England to the Church of England: but, after all, the courage of the clergy in Convocation secured, under God's providence, the future freedom of the Church, even though it was obliged to bow for a few years to the yoke of Henry VIII.'s illegal tyranny.

CHAPTER V

THE REPUDIATION OF PAPAL JURISDICTION

[A.D. 1531—1534]

CHAP V

DURING the progress of the divorce business it had gradually been growing upon men's minds that whether the King was right or wrong in his endeavours to put away an old wife and take a young one in her place, the Pope was assuredly claiming a more than usually extravagant authority by the course which he was pursuing: and there began to be a freedom of thought and a freedom of speech about the matter, which foreshadowed a great change. Wise men who knew the history of preceding times, felt the approach of a climax in that standing quarrel between England and Rome which had been cropping up in a more or less conspicuous degree during several centuries. But few, even of the wise, could see their way clearly to a new order of things. The authority of Rome might be repudiated by the English Church and nation, but what was to be substituted in its place? Were there any true and just principles of ecclesiastical independence, such as would allow freedom to the English Church, and yet maintain its Catholic position undamaged? The

The old quarrel between England and Rome problem was settled by what men call an accident, as many other problems have been settled before and since; and one can hardly wonder, considering the hold which the papal theory had gained on the world by the constant bold persistence of Italian statesmen, that it was settled in no more direct manner.

Wolsey's free treatment of Popes

During the whole time of Wolsey's government, there had been a growing disposition to deal with the court of Rome on more independent terms than had been customary. Frequent complaints had come from Rome that the Pope of the day thought himself slighted, and the complaints seem to have had a foundation in facts. In October, 1514, the Bishop of Worcester wrote to Wolsey that Leo X. had expressed displeasure at an arrangement made between England and France for the marriage of the Princess Mary to the Dauphin, without any notice whatever being given to his Holiness of the negotiations that had been going on.[1] Nor was a word said to him officially of Suffolk's marriage with the King's sister. And even while Wolsey, about the same time, was making interest at Rome for the cardinalate, he boldly remonstrated against the papal exaction of "two annates" in one year from the see of Lincoln, and urges that restitution must be made.[2]

Papal remonstrances

Remonstrances from the Pope respecting the treatment he was receiving from England seem, indeed, to have abounded about this time. The sub-collector of Peter's pence wrote to the Bishop of Bath on March 3, 1515, saying that the people refused to pay them until some dispute then in hand was settled. The letter was intercepted, and its language was of so

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[1] Brewer's Calend. St. Pap., i. 5543.

[2] Ibid., 5465.

Strong language used to him

He gets no news from England

and too little money

differences become serious

disrespectful a character, that Leo X. thought it worth while to write to the King himself on the subject.[3] But at about the same time Henry was writing one sharp letter to the Pope respecting an unacceptable appointment of a Scotch bishop as legate, and Wolsey was writing another respecting the hesitation shown by his Holiness in forwarding his election to the cardinalate ; and though Leo wrote quite humble replies,[4] both King and minister seem to have punished him by their silence, for in November he writes that he has not heard from England for three months.[5] The same complaint about want of news is thrice made within a few months afterwards, and a little later his Holiness ventures so far in his remonstrances as to say at one time that he considers the excuses made very unsatisfactory : and at another, that he has not heard from England for six months, and never did hear except when people wanted to beg something![6] Constant complaints are also sent over about the manner in which the papal taxes are withheld by the King and the English people. The Pope "is greatly displeased, and his quiet nature much exasperated" at the refusal of a tenth in 1516 :[7] Lord Mountjoy prohibits the sale of indulgences in Tournay :[8] and the English ambassador tells the Pope they cannot be sold in England, unless the King's consent is sought, and a fourth or a third of the proceeds handed over to his Majesty.[9] At last, the Bishop of Worcester writes to Wolsey, on April 10, 1518, that the state of affairs between England and Rome is becoming very serious, and that the Pope

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[3] Brewer's Calend. St. Pap., ii. 215.

[4] Ibid., 365, 366, 374.

[5] Ibid., 1224.

[6] Brewer's Calend. St. Pap., ii. 1928, 3352, 5353, iii. 791.

[7] Ibid., ii. 1312, 1417.

[8] Ibid., 1259.

[9] Ibid., App. 35.

CHAP. [illegible]

complains "every day" how little he hears from England.[1] At this time, disregard for the Pope was so openly shown, that Giustiniani, the Venetian ambassador, notices it in his despatch, narrating the reception of Cardinal Campeggio. The legates went to court on August 3, 1518, he says, when mass was celebrated and a sumptuous banquet provided, but "little respect was shown to the See Apostolic."[2]

[illegible]

Before the divorce business came on, some communication had been made by Wolsey, which the Bishop of Bath calls "sharp, though affectionate letters;" and he adds an amusing sentence, which gives a pretty good idea of the Cardinal's tone: "His Holiness hath taken this sour sauce, sweetly powdered, as I trust, to his edification."[3] While the divorce business was going on, a remarkably bold tone was taken by the English ambassadors, especially by Gardiner and Bonner, in their interviews with the Pope: and whence it received its inspiration is shown by one of Wolsey's last despatches, written on July 27, 1529, in which he bids the ambassadors to tell the Pope, who had signified his intention of summoning the King and Queen before him, "that if his Grace should come at any time to the court of Rome, he would do the same with such a main and army royal as should be formidable to the Pope and all Italy."[4]

Much insolence to the Pope

How the King would attend the Pope's summons

Thus, it is evident, there was a growing disregard for the papacy: and the relations of England and Rome were becoming so shaken, that we must conclude nothing could have staved off for long a virtual, if not an actual, repudiation of the Pope's jurisdiction in England.

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[1] Brewer's Calend. St. Pap., ii. 3781, 4068.

[2] Giustin. Despatches, ii. 206.

[3] State Pap., vi. 402 n. Feb. 1525.

[4] Ibid., vii. 193.

It cannot but have been, indeed, that the papal office was brought into great disrepute by the miserable vices and secularity of those who occupied it: and for sixty years (to say no more) before the final breach was made, there had not been a pope, except Clement VII., who could be called even a decent Christian. This fact must be looked in the face, for it goes far to explain the feelings which stimulated such men as Savonarola and Luther to such extreme and bitter hostility towards the Popes: and there can be no reasonable doubt that the schisms of Europe, though not the reformation of its churches, would have been greatly hindered if there had been men of personal holiness on the papal throne.

The bad characters of the Popes

But what were the popes of that fifty years? For one decade and more, there was Sixtus IV., an accomplice in the attempted assassination of the Medici at Florence, when Giuliano de Medici was stabbed to the heart before the altar, and his brother Lorenzo just escaped. In this vile conspiracy, the Archbishop of Pisa (who was hung in his robes on the instant) was the Pope's agent and deputy, and gave the signal to the assassins by elevating the Blessed Sacrament at the altar! For nearly a second decade Innocent VIII. was Pope, whose one object seems to have been to found a family by heaping benefices upon his children and other relatives: and who had so little moral sense, not to say spirituality, that he made a boy of fourteen a cardinal, and tried to get a French archbishopric

Sixtus IV

Innocent VIII

Julius II

Leo X

conferred on him. For a third decade, the episcopal head of Western Christendom was Alexander VI., a monster of iniquity, whose crimes were too vile to name, and too many to number. For a fourth decade, we have Julius II., commander-in-chief of the papal army before his election to the papacy itself, and nothing more like a Christian bishop during the whole of his reign. The fifth decade takes in the reign of Leo X., the boy cardinal above-mentioned.[5] All the good that has ever been said of him amounts to this, that he was "a munificent patron of the arts," though his patronage was neither more nor less than the encouragement of Pagan instead of Christian art. He was as secular in his tastes as any emperor of Rome, and his episcopal office was treated by him merely as one of the accidents of his position. During the last decade of the period (except for the short reign of the good Adrian VI.[6])

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[5] During these early years of Leo X. the boy cardinal was also, according to Audin, canon of the Cathedral of Florence, of Fiesole, and of Arezzo; rector of Carmignano, of Giogoli, of San Casciano, of San Giovanni in Val d'Arno, of San Pietro di Casale, of San Marcellino di Cacchiano; prior of Monte Varchi; precentor of S. Antonio, at Florence; provost of Prato; Abbot of Monte Cassino, of San Giovanni di Passignano, of Sta. Maria di Morimondo, of St. Martin de Font-Douce, of S. Salvadore at Vajano, of S. Bartolommeo d'Anghiari, of S. Lorenzo di Coltibuono, of Sta. Maria di Monte Piano, of St. Julien de Tours, of S. Giusto and S. Clemente at Volterra, of S. Stefano at Bologna, of S. Michele at Arezzo, of Chiaravalle near Milan, of Pin in Poitou, of Chaise-Dieu near Clermont. [Audin's Histoire de Léon X., i. 25.]

[6] This was the only one of these Popes who saw the greatness of the moral crisis, and really wished for reformation. He told his nuncio Chieregati to declare at the imperial diet of Nuremberg in 1522, "We know that for a long time there have existed many abominations is this holy see, abuses of spiritual things, excesses in the exercise of jurisdiction: all things in short changed and perverted. Nor need we wonder that corruption has descended from the head to the members, from the supreme pontiff to the inferior prelates. We have all, prelates and ecclesiastics, turned aside each one to his own way: for none of us have done well, no, not one." [Rainald, Annal. Ecc., vol. xx., year 1522, note 66.]

Clement VII. a victim of his predecessors

Clement VII. was Pope, and the official duplicity of the transactions carried on in his name were a principal reason why the papal office was treated with so little respect by Wolsey and Henry VIII. But his personal character was very different from that of his immediate predecessors, and his adversities, like those of many other well-meaning rulers, were brought upon him chiefly as the result of their iniquities and worldliness.

The profligacy of Rome and Italy

Luther's saying respecting it

Nor may we leave out the condition of Rome and the Roman Church, when enumerating the causes which led Englishmen to *despise* the papacy. The Italy of that day was sunk in the very deeps of profligacy, and the clergy had been dragged down into the mire. There were, doubtless, many exceptions, but they are not conspicuous in history. The many who are conspicuous exhibit themselves as secular, intriguing, and even criminal; for what else can be said of a clerical community which could so readily provide assassins and conspirators? Luther spent a fortnight at Rome in 1510, and the recollection of what he saw and heard used to make him shudder. Among other things that he records, is the conversation of priests about the mysteries of religion, and this is so awfully profane, that one can come to no other conclusion than this, that Rome then abounded with profligate infidels even among its clergy.[7] "I would not have missed seeing Rome," he used to say, "for a thousand florins. At Rome, one may be anything save a good man." And Luther was very far from being the only one who looked with horror and contempt on the condition of the great centre of Christendom.

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[7] The very celebration of the Eucharist was vitiated by a parody of the words of consecration. Worsley's Life of Luther, i. 61.

Thus the moral weight of the papacy was reduced to its lowest point. The character of these popes was well known to the two generations during which they lived; and we may venture firmly to say that such a character had no parallel among English bishops, such as might have led to its being excused or leniently thought of. Ambassadors, moreover, lay and clerical, were continually being sent from England to Rome; they saw the corruptions of the Roman court and the Roman Church, and they came home despising the clergy both as courtiers and as priests. The consequence was, that when the imperious will of Henry VIII. was set against the court of Rome, no one cared to apologize for or defend it: and when the principle of papal jurisdiction came to be called in question, there came no voice raised to plead that if the principle was bad, the lives and rule of the popes were such as to claim respect even for an usurped office.

No ecclesiastical parallel in England

And thus the jurisdiction of the papal see over the Church of England was already rotting away before Henry VIII. laid the axe to its roots: and it was moral rottenness which made its destruction so comparatively easy. It is far from improbable that the spirit thus growing up would have led to entire alienation before long, even without the momentum given to events by Henry's pride and passions. Such an idea was evidently in the mind of Sir Thomas More; and, no doubt, in that of the still more astute and far-seeing Wolsey. When More was about to be sent to the Tower, he was examined before Cranmer, Cromwell, and Lord Chancellor

Papal power over England rotting away

Audley; and among other accusations which were brought against him was that of having put a sword into the King's "enemy, the Pope's hands, by inducing the King to make a book for the maintenance of the Pope's authority and the seven sacraments." More replies that when the King showed him the MS. after it was completed, he found "the Pope's authority highly advanced, and with many good reasons mightily defended," and that he offered a remonstrance on the subject. "'I must put your Grace in mind of one thing,'" he reports himself to have said, "'and that is this, the Pope, as your Grace knoweth, is a great prince as you are. It may hereafter fall out that your Grace and he may vary on some points, whereupon may grow breach of amity and war between you both. I think it therefore best, in my simple judgment, that this place be mended, and his authority more slenderly touched.' 'Nay (quoth his grace), that shall not be. We and all Christians are so much bound to the See of Rome that we cannot do it too much honour.' Then I put him in mind of a statute of *præmunire*, made in the time of Richard the Second, by which a part of the Pope's pastoral cure here in England was pared away. To that his Highness answered, 'Whatsoever impediment be to the contrary, we will set forth, for our parts, his authority to the utmost as it deserved; for from that See we first received our faith, and after our imperial crown and sceptre,' which, till his Grace with his own mouth told me," adds More sarcastically, "I never heard of before."[8] It is amusing to find what a change thirteen years had made in the King's opinions

More foresees quarrel between the Pope and Henry VIII

The King's early view of papal supremacy

More's sarcasm respecting it

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[8] Wordsw. Eccl. Biog., ii. 169.

respecting his relations with the Pope: but it is also instructive to find that his new opinions were those which wiser men had long entertained. In fact it may be said that when Henry finally established his independence of the Court of Rome, he was but giving the last effective stroke to a policy which had been maintained—as far as it could be without royal support—for many years of Wolsey's administration. We may even go further back, and say with a once zealous writer of the English Church, who in later life became titular archbishop of the Roman sect in England, that Henry's act was but the finishing stroke to a work that had been going on for centuries. "If any man will look down along the line of early English history, he will see a standing contest between the rulers of this land and the bishops of Rome. The Crown and Church of England, with a steady opposition, resisted the entrance and encroachment of the secularized ecclesiastical power of the Pope in England. The last rejection of it was no more than a successful effort after many a failure in struggles of the like kind."[9]

Final rejection of Papal jurisdiction the climax of a standing contest

After the advocation of the divorce cause to Rome, it became clear that this long threatened separation of England from the jurisdiction of the popes was now becoming imminent: and looking back on the steps taken by Clement and the King, we may say that no such outrageous provocation having ever been offered before to an independent

Provoked at last by divorce business

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[9] In 1512 there had been a movement in France for throwing off the papal jurisdiction: and in 1525 Francis I. proposed a Patriarchate of France and England to Wolsey. [Ellis' Orig. Lett., III. ii. 98.] See page 88.

[1] Manning on the Unity of the Church, p. 361

sovereign, it was met in the first instance very temperately.

A.D. 1530

In 1530 Dr. Benet was endeavouring to obtain a commission for three English bishops, or for Convocation, to take up and decide the cause; and a long despatch exists which he wrote on October 27th of that year, giving the King an account of his interviews with the Pope. Against Clement's advocation of the cause to Rome, the envoys alleged the custom of the realm of England, which forbad any Englishman being called out of the country to plead before a foreign tribunal; and that for this reason appeals made to Rome were always sent back to England. This custom the Pope questioned, and the ambassador began to retort, by hinting some doubts as to the grounds of the Papal authority itself.

English customs alleged against papal judgment of the cause

> "Then we said, that if his Holiness would examine this custom so exquisitely, and seek the reason of it, which hath been used by time out of mind, and now is certain, he should not do well. For his Holiness should consider how dangerous it is to search for the reason of such things as hath been used long, and so taken for certain, lest those things which are taken now for certain should be subverted: and also *how grievously he would take it if a man should ask of him the reason why, he being Bishop of Rome, should have jurisdiction in all other churches and bishops.* To that he answered and said, that he perceived to what end this matter would grow: and said he would prove better his jurisdiction than your Highness could prove your custom, adding, in a great fume, that he would not give us further audience in this cause of matrimony, but in presence of his council."[2]

Hint as to weak tenure of papal jurisdiction

It was evidently not without reason that Sir John

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[2] Dod's Ch. History, Tierney's ed., i. 392.

Hacket ventured, in one of his despatches, to call this Pope "The Unclement Bishop."[3]

Meanwhile, although the Pope could not yet have heard of this, the King had taken a first decided step in the direction to which Clement saw events were tending. Apprehensive that the Queen would procure, or had procured, some bull from Rome condemning his conduct or restraining his authority, Henry had set forth a proclamation on September 19, 1530, inhibiting the publication of any such missives in the terms following:—

Proclamation forbidding admission of bulls

> "The King's Highness straitly chargeth and commandeth that no manner of person of what estate, degree, or condition soever, he or they be of, do purchase or attempt to purchase from the court of Rome or elsewhere, nor use and put in execution, divulge or publish anything heretofore within this year passed purchased, or to be purchased hereafter, containing matter prejudicial to the high authority, jurisdiction and prerogative royal of this his said realm, or to the let, hindrance, or impeachment of his Grace's noble and virtuous intended purposes in the premisses: upon pain of incurring his Highness' indignation, and imprisonment, and further punishment of their bodies, for their so doing, at his Grace's pleasure, to the dreadful example of all other."[4]

By this politic stroke, the official voice of the Pope was at once silenced as far as England was concerned: and though Henry's proclamation was only the reassertion of a right claimed and exercised long before by his predecessors, it was issued at a crisis which gave it a peculiar significance.

An ancient right revived

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[3] State Pap., i. 545.

[4] Herbert's H. VIII. 330. The words of the proclamation are substantially taken from the Act of Richard II.

CHAP V

A.D. 1531

§ 1. Withdrawal of Tribute and Obedience from the See of Rome.

Growing perception of truth as to supremacy

After this events marched quickly. The discussions of Convocation respecting the royal supremacy had thrown much light upon the relations of the Church to the Pope as well as to the Crown, and the clergy began to see clearly the false position in which they and the nation at large were placed by the mediæval system of papal jurisdiction which they had inherited. They therefore took a step which was of the utmost importance to the course of the Reformation, but which is almost entirely unnoticed by historians. In petitioning the King to abolish one of the many payments exacted by the Pope, the Convocation also prayed that in case his Holiness should persist in requiring such payments, *the obedience of England should be withdrawn altogether from the See of Rome.* This is the first appearance of such an idea in any public document: so that the first official proposal to repudiate the jurisdiction of the Pope over the English Church proceeded from the English Church itself through its representative body, the Convocation of the clergy.

Convocation on Annates

This petition of Convocation is so important an historical document, that it is worth while to give it at length:[5]—

> "Whereas the Court of Rome hath a long season exacted of such as have been named or elected to be archbishops or bishops of this realm, the annates, that is to say, the first fruits of their bishoprics, before they could obtain their bulls out of the said

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[5] The original still remains in the British Museum, MS. Cleop. E. 6, p. 263.

court: by reason whereof, the treasure of this realm hath been had and conveyed to Rome, to no small decay of this land, and to the great impoverishing of bishops; which, if they should die within two or three years after their promotion, should die in such debts as should be to the undoing of their friends and creditors: and by the same exaction of annates, bishops have been so extenuate, that they have not been able in a great part of their lives to repair their churches, houses, and manors; which, by reason thereof, have fallen into much decay: and besides, that the bishops have not been able to bestow the goods of the Church in hospitality and alms, and other deeds of charity, which, by the law and by the minds of the donors of their possessions temporal, they were bound to do.

Such payments hampered the bishops

"In consideration whereof, forasmuch as it is to be accounted as simony by the Pope's own law, to take or give any money for the collation, or for the consenting to the collation of a bishopric, or of any other spiritual promotion: and to say that the said annates be taken for the vacation, as touching the temporalities, pertaineth of right to the King's Grace; and as touching the spirituality to the Archbishop of Canterbury: and it is not to be allowed, if it should be alleged, that the said court exacteth these annates for parchment and lead, and writing of the bulls. For so should parchment and lead be very dear merchandize at Rome, and in some cases an hundred times more worth than the weight or counterpoise of fine gold.

Nothing better than simony

"In consideration also, that it is no reason that the first fruits of such temporal lands as the King's most noble progenitors, and other noblemen of this realm, have given to the Church of England, upon high respects, causes, and conditions, should be applied to the court of Rome: which continually getteth by this means, and many other, much goods and profits out of this realm, and never departeth with any portion thereof hither again. For touching the same temporal lands, the bishops be subjects only to the King's Grace, and not to the court of Rome: neither by reason of those possessions ought to pay these annates as a tribute to the said court. Wherefore if there were just cause, as there is none, why any sums of money, besides the competent charges of the writing and sealing, should be demanded for bishops' bulls, the court

Temporal allegiance of bishops to crown

of Rome might be contented with the annates of the spiritualities alone, without exaction of the first fruits of the temporalities: in which they have none interest, right, or superiority.

Annates entail perjury

"And further, in consideration that the bishops be sworn at their consecration, that they shall not alienate the immovable or precious movable goods of their bishopric: seeing the payment of these annates be an alienation of the first fruits, being precious movables: by the alienation whereof, the bishop should fall into perjury:

forbidden by Council of Basle

"And over this, forasmuch as it was ordained, determined, and concluded in the 21st session at the General Council of Basle, that from time ever after, for and in the confirmation of elections for admission of postulations or presentations, in or for provisions, collations, dispositions, elections, postulations, presentations, though it be made by a layman, in or for the institutions, installations, investitures of churches, cathedral, metropolitan, monasteries, dignities, benefices, or ecclesiastical offices, whatever they be: also in or for orders, holy benediction, or palls, nothing at all before or after should be exacted in the court of Rome, by the reason of letters, bulls, seals, annates, common or minute service, first fruits, or deportates, or by whatsoever other title, colour, or name they be called, under the pretext that of any custom, privilege, or statute, or prerogative, or any other cause or occasion, directly or indirectly: excepted only to the writers, abbreviators, and registers of the letters, minutes, and bulls, thereto belonging, a competent salary for their labour: whose salary cannot be extended reasonably to the twentieth part of the annates, which be exacted and continually augmented: contrary to which ordinance, determination and canon, made in the said council, if any man exacting, giving, or promising, would presume to do, he should fall into some great pains, as in the said council be expressed:

Convocation prays for their abolition

"It may please the King's most noble Grace, having tender compassion to the wealth of this his realm, which hath been so greatly extenuate and hindered by the payments of the said annates, and by other exactions and slights, by which the treasure of this land hath been carried and conveyed beyond the mountains to the court of Rome, that the subjects of this realm be brought to great penury, and by necessity be forced to make their most humble complaint for stopping and restraining the said annates, and other exactions and expilations, taken for indulgences and dispensations, legacies, and delegacies, and others feats, which were too long to remember:

"First, to cause the said injust exactions of annates to cease, and to be foredone for ever, by this act of his Grace's high court of Parliament. And in case the Pope would make any process against this realm for the attaining those annates, or else would retain bishops' bulls, till the annates be paid, forasmuch as the exaction of the said annates is against the law of God, and the Pope's own laws, forbidding the buying or selling of spiritual gifts or promotions; and forasmuch as all good Christian men be more bound to obey God than any man; and forasmuch as St. Paul willeth us to withdraw ourselves from all such as walk inordinately; it may please the King's most noble Grace to ordain in this present parliament, that then the obedience of him and the people be withdrawn from the See of Rome: as in like case, the French king withdrew his obedience of him and his subjects from Pope Benedict the XIII. of that name; and arrested, by authority of his parliament, all such annates, as it appeareth by good writing ready to be shewed."

suggests withdrawal of obedience from Rome

Parliament carries out the suggestion of the clergy conditionally

In consequence of the petition of the Convocation, a bill was introduced into the House of Lords for the purpose of carrying out the request of the clergy. It eventually passed the House of Commons, and received the royal assent; but in accordance with the last clause, its operation was suspended until July 9, 1533, when the King made it effective by means of letters patent of that date, ratifying and confirming it.[6]

The Act [23 Hen. VIII. c. 20] opens with a

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[6] This extraordinary course of legislation is still illustrated by the document itself, which is affixed to the act in the Rolls of Parliament.

Enormous tribute paid to Rome

Payment to cease in 1533

Provision for doing without the Pope

preamble substantially reciting the petition on which it was grounded, and then states that since the second year of Henry VII. [A.D. 1486] the enormous amount of £160,000[7] had been paid, "beside other great and intolerable sums which have yearly been conveyed to the said court of Rome by many other ways and means, to the great impoverishment of this realm." It then proceeds to say, that although the King and his subjects are obedient children of Holy Church, yet the said exactions being intolerable, the estates have represented that the King is bound to repress them, especially now when several of the prelates are in extreme old age, and great sums of money likely otherwise to be soon sent to Rome under this unreasonable system. It is enacted, therefore, that all such payments shall cease, and that if, in consequence of their cessation the Pope refuses to grant his bulls for the consecration of any bishop, he shall (having been nominated by the King) be consecrated by the archbishop of the province, or by bishops to be named by the King, "according and in like manner as divers other archbishops and bishops have been heretofore in ancient time by sundry the King's most noble progenitors made, consecrated, and invested within this realm." Provision is, however, made for a payment to the Pope for his bulls at the rate of five per cent. on the one year's value of the see for which they are desired. The latter portion of the Act shows how strong a desire there was to carry out such necessary reforms on amicable terms if it were possible to do so. The Parliament, it says, is unwilling to go to extremities without urgent cause, and so have empowered the

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[7] About £45,000 a year in modern money.

King to make an equitable compromise with the court of Rome, and the Act is only to be accounted a statute of the realm when the King has so declared it be (after any modifications that such composition with the Pope may make necessary) by his letters patent. The determination of the clergy and nation no longer to be overridden by the Bishop of Rome is however shown at the same time by a concluding provision. If no redress can be secured by amicable negotiation, and the Pope should endeavour to enforce the payment of annates by excommunications, interdicts, &c., in such case these papal instruments are to be disregarded, and there shall be no interruption whatever of divine service or the administration of the sacraments.[8]

His adverse action to be disregarded

Thus the last Act of the Session of 1531 embodied the suggestions of Convocation; and the principal tribute which Rome had exacted from the Church of England was abolished, with an understanding that the Church was henceforth independent of the Roman See, though not in any way separated from communion with it, except by some future act of the Pope himself.

Practically a declaration of independence

Let it be repeated—for the point is of the highest importance—that this declaration of independence on the part of the Church of England originated with the clergy in the Convocation of 1531, and not with the King or the Parliament. All that the clergy could do by themselves towards securing such inde-

which originated with the clergy

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[8] In the Session 1533, when this Act came into operation, a supplementary one was passed [25 Hen. VIII. cap. 21] by which all other obligatory payments to the Pope were abolished. The Act which contained this clause was in reality one for transferring the jurisdiction of the Pope to the Archbishop of Canterbury, where it was not inherent in his suffragans, and in those of the Archbishop of York.

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pendence they did; what they could not do they petitioned the King to do in the proper constitutional manner, by the aid of his Parliament. Let it also be remembered that the Convocation which thus re-established the independence of the Church of England was composed of the old-fashioned bishops, abbots, and proctors, with Archbishop Warham still for their president. There was undoubtedly a re-action a few years afterwards, when the subserviency of Cranmer, the gross assumption and tyranny of Cromwell, the cruel deaths of Fisher and More, and the reckless confiscation and waste of Church property, had produced their effect upon the minds of the clergy; and the reaction (under Providence) saved the Church of England. But in 1531 the true leaders of the Reformation were the clergy; and they did their best to lead it in the course pointed out by the well-marked lines of the Constitution. They abolished at the outset the tribute and obedience which had been hitherto paid to a foreign prince and bishop; and they thus placed the Church of England in a position of freedom which would enable it to carry on further reformations in a constitutional manner. That the operation of the Act of Parliament was suspended for two or three years longer was not their fault. The mind of Convocation was made up on the subject, but that of Parliament was still hesitating and undecided. The utmost responsibility the latter would undertake at present was that of passing a conditional statute embodying, for possible use at a future day, the principles so clearly and incisively set forth by the former.

notwithstanding subsequent re-action

Convocation more advanced than Parliament

§ 2. Abolition of Appeals to the See of Rome

A.D. 1532-3

But while the statutory enforcement of these principles was still in abeyance, the Parliament was required by Henry VIII. to strengthen the hands of the executive by passing an act which should confirm and give general force to the principles on which, in his own particular cause, he had refused to acknowledge the final judicial authority of the Pope. This Act [24 Hen. VIII. c. 12] is known as the "Act for the restraint of Appeals."

Origin of appeals to Rome

The appellate jurisdiction of the bishops of Rome originated in the just respect which was felt in early ages for their position as the first bishops of the Roman Empire and of Christendom itself. But appeals were then of a voluntary kind, having the nature of applications for advice rather than that of applications for judicial decisions. Under the mediaeval system of the Church, a much higher kind of authority was claimed, conceded, and exercised; and the Pope became *ex officio* the ecclesiastical judge in the highest resort for all the nations whose churches acknowledged obedience to him.

Introduction of system into England

Attempts were made to introduce this system into England soon after the Conquest, but were vigorously withstood until the reign of Stephen. The bishops and barons told St. Anselm that it was a thing unheard of for any one to carry their cause to Rome without the King's leave; and one of the popes who was contemporary with Henry I. complained that the English sovereigns would suffer no appeals to be carried to him. Even Henry II. recalled for a time the concession made by Stephen.

one of the Constitutions of Clarendon ordaining that no appeals should be made to Rome without his leave; but after the murder of Archbishop Becket, the point was once more conceded, with the single limitation that such appeals should not concern any injury to the King or kingdom.[9]

Its great misapplication

And, whatever may be said in favour of such an appellate jurisdiction on the ground of learning, independence, and sense of responsibility, it is plainly extravagant that it should be exercised without, or against, the consent of the sovereign whose subjects wish to appeal. Such an exercise of jurisdiction is contrary to the first principles of national independence; and let it be carried on with what wisdom and justice it might, must be regarded as a badge of, to say the least, moral servitude. But in mediæval times the decisions of the papacy were not always characterized by wisdom and justice, and appeals to the Pope as the final ecclesiastical authority became too frequently nothing better than an evasion of justice. At the best they involved enormous expense and delay, and tended to the great deterioration of our own ecclesiastical courts.

Abolished by Statute of Appeals

In consolidating and re-establishing, therefore, the authority of the English Church and the English Crown, it became absolutely necessary to cut off the stream of judicial appeals which flowed so freely towards Rome: and if the jurisdiction of the Pope was to be repudiated in any matter at all it certainly must be in this. The Act for the restraint of Appeals was accordingly devised with this very legitimate object in view: and although, no doubt, it was in part suggested by the appeal of Queen Catherine in the

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[9] Gibson's Codex, Tit. III. cap. iii. n.

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divorce cause, it is equally certain that the whole subject of appeals was fairly considered and taken into account, and that this accidental origin of the Act did not interfere with the justice of its enactments.

The preamble of the "Act for restraining Appeals" well sets forth the grounds on which it was passed. It first of all declares that England is an independent empire, composed of a "spirituality" and a "temporality," or Church and State, of which each is competent to take judicial cognizance of all causes within its own sphere, the Church of spiritual, the State of temporal causes.

England an independent Empire

Its sovereign its highest earthly fountain of justice

The Church taking cognizance of spiritual causes

"Whereas," it alleges, "by divers sundry old authentic histories and chronicles it is manifestly declared and expressed that this realm of England is an empire,[1] and so hath been accepted in the world; governed by one supreme head and king, having the dignity and royal estate of the imperial crown of the same; unto whom a body politic compact of all sorts and degrees of people, divided in terms and by names of spiritualty and temporalty, be bound and ought to bear, next to God, a natural and humble obedience: he being also institute and furnished by the goodness and sufferance of Almighty God with plenary, whole, and entire power, pre-eminence, authority, prerogative and jurisdiction, to render and yield justice and final determination to all manner of folk, residents or subjects within this his realm, . . . without restraint, or provocation to any foreign princes or potentates of the world: the body spiritual whereof having power when any cause of the law divine happened to come in question, or of spiritual learning, then it was declared, interpreted, and shewed by that part of the body politic called the spiritualty, now usually called the English church; which always hath been reported and also found of that sort, that both for knowledge, integrity, and sufficiency of number, it hath been always thought, and is also at this hour sufficient and meet of itself, without the intermeddling of any exterior person or persons, to declare and determine all such doubts, and to administer all such offices and duties as to their rooms spiritual doth appertain. . . . And the laws temporal, for trial of property of lands and goods, and for the conservation of the people of

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[1] See Freeman's Norman Conquest, p. 145.

and secular judges of temporal causes

this realm in unity and peace, . . . was and yet is administered, adjudged, and executed by sundry judges and ministers of the other part of the said body politic called the temporalty: and both their authorities and jurisdictions do conjoin together in the due administration of justice, the one to help the other."

Injustice and inconvenience of appeals to Rome

Notwithstanding, the Act proceeds to say, that laws were made in the time of the Kings Edward I., Edward III., Richard II., Henry IV., and other kings, for preserving the rights of the Crown, appeals had still been made to the court of Rome "in causes testamentary, causes of matrimony and divorces, oblations, and obventions," to the great vexation and expense of many of the King's subjects, and to the great hindrance of justice, "forasmuch as the parties appealing to the said court of Rome commonly do the same for the delay of justice." The distance, it adds, is so great, that documents and witnesses cannot easily be forwarded to Rome, "so that the parties grieved by the said appeals be most times without remedy."

Henceforth all causes to be adjudicated within the realm

Such being the rights of the Crown in the matter of justice, and such the inconveniences and injustice attending the system of appeals to the Pope, it is enacted that all causes testamentary, matrimonial, of divorces, of tithes, oblations, and obventions, shall be finally determined within the King's jurisdiction, any inhibitions, excommunications, interdicts, &c., from the Pope notwithstanding. In all such cases, it is

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further enacted, as have hitherto admitted of appeal to Rome, the appeals shall be from the archdeacon's court to that of the bishop, from the bishop's court to that of the archbishop of the province, "there to be definitely and finally ordered, decreed, and adjudged, according to justice, without any other appellation or provocation to any other person or persons, court or courts."[2] This latter clause was modified by the "Act of Submission" [25 Hen. VIII. c. 19], which enacted that appeals go from the archbishop to the Court of Chancery, which was to issue a commission under the great seal for delegates named by the Crown to re-hear the cause, as in appeals from the Court of Admiralty.

The principle of the Act of Appeals in force ever since

Thus the judicial authority of the Pope over England was altogether extinguished. It was revived during Queen Mary's reign, but the 1 Eliz. cap. 1 restored the jurisdiction of the Crown to the position in which the Act of Appeals had left it: and though the court has been changed, the Privy Council being substituted for the delegates, the principle of the law has remained untouched to the present day.

That principle is simply that the Church of England contains within itself a sufficient authority for the final determination of all ecclesiastical questions: the sovereign being (under God) the supreme fountain of justice in matters connected with the Church, as well as in matters of a purely secular description.

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[2] An exception is made as to any case which touches the Crown, when an appeal is allowed to the Upper House of Convocation, the decision of which is to be final. By the next mentioned act also exempt monasteries were allowed to go direct to the Court of Chancery and the delegates.

§ 3. ABOLITION OF PAPAL AUTHORITY IN THE APPOINTMENT OF BISHOPS

Ancient mode of appointing English bishops

During the mediæval period, the See of Rome had exercised an authority in the appointments to English sees which had always been a fruitful source of disagreement and discord. The bishops in England holding lands of the Crown, and sitting in Parliament as barons in right of their tenure, it was only natural that the Crown should feel an interest in appointments to the episcopal office, over and above such interest as the ruler of a kingdom must feel in the nomination of official persons exercising such great power. It was so necessary that men so powerful in the kingdom should not be enemies of the king, that even in Anglo-Saxon times the latter reserved the nomination of bishops to himself. The episcopal ring and crosier being associated with essential rites in the ceremony of consecration, were given into the custody of the king immediately upon the death of any prelate, and the investiture of any person with these gave him a title to the see as successor to the deceased bishop.[3] In a few exceptional cases, the royal nomination was resisted, and the ancient practice of election by the clergy (through their representatives the cathedral chapter) appears to have been successfully substituted.

Some evils attended it

In the hands of the Norman kings much scandal was sometimes caused by their exercise of this power. Sometimes they appointed such men as Flambard

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[3] The practice of returning the insignia of the Garter to the sovereign on the death of the knight who has worn them was doubtless copied from this custom.

[illegible]

The congé d'élire

The Statutes of Provisors

Bishop of Durham in the reign of William Rufus; at others, they kept sees vacant for years (as did Queen Elizabeth) that they might take the profits of the lands belonging to them. Thus a handle was given to the Bishops of Rome, who already began to urge, in practice, the ultramontane claim to be the sole source on earth from which all episcopal authority flows. After bitter contests between Henry I., Gregory VII., and Archbishop Anselm, the ceremony of investiture was given up to the Pope, and the right of nomination still claimed was exercised only in the modified form of a license empowering the chapter to elect — a "congé d'élire." This license was, in a very short time, again modified by the accompaniment of letters patent, in which a particular person was named for election by the chapter. This practice was also successfully contested by Innocent III., and "free" election was again introduced. But it was introduced only in name, for the popes set up a claim to nominate or "provide for" episcopal sees in England, and the monks yielding to the papal claims, these "provisions" left as little freedom of election as the nominations by the Crown. The Statute of Provisors made in the 25th year of Edward III. [A. D. 1351] was intended to prevent this assumption; declaring that "the King and other lords shall present unto benefices of their own or their ancestors' foundation, and not the Bishop of Rome." This was confirmed by a subsequent act — 13th Richard II., Statute ii. cap. 2 [A. D. 1389], — and henceforth the Bishops of Rome were only able to exercise their influence in this matter indirectly, or else by asking the kings of England to appoint papal candidates.

The popes still, however, retained much indirect power over appointments to English sees by means of the bulls which had been made necessary before any bishop could be consecrated. In the case of Archbishops of Canterbury, these bulls were eleven in number, each of which had to paid for with a large sum of money. To withhold these bulls was to delay the consecration: and the long continued vacancies in the French and Italian sees in modern times through such hindrance shows how important a power this is.

English bishops always practically appointed by English sovereigns

Setting aside this indirect veto of the Pope, the appointments to English sees for many years before the Reformation was precisely similar to what it is at present. The chapter of the diocese *nominally* elected to the see, the sovereign *practically* appointed to it.[4] The congé d'élire nominally left the chapter perfectly free to elect whom they would, but the royal will was expressed in some way which rendered it as much a legal fiction as it is in our own time. It is well sometimes to retain such legal fictions, even when their character is offensive, for they may mark, as in this case, the non-abolition of rights to the revival of which a change of times might point as a matter of political and ecclesiastical expediency.

System confirmed by the

It was to give statutory consolidation to the system of appointments indicated in the last paragraph

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[4] Cranmer's is a notorious case of an archbishop nominated by the Crown. Warham, Dean, and Morton had all held high judicial or other offices before becoming archbishops, and were undoubtedly promoted to the highest ecclesiastical office by the Crown. Campeggio (eventually Bishop of Salisbury) worried Wolsey and the King for an English bishopric, evidently taking it for granted that the King's and the minister's nomination was substantially the appointment. Numerous other cases might be alleged in confirmation of the statement in the text.

Act forbidding First-fruits to be paid to Rome

that an act was passed in the year 1533 [25 Hen. VIII. cap. 20], entitled an Act for the non-payment of First-fruits to the Bishops of Rome; which was, in reality, an act for regulating the manner of appointing to bishoprics.

This act begins by reciting the act against the payment of annates, which had been passed two years before, but had only just come into operation. The sequel of the Annates Act is then stated in the second clause:[5]—

> "And albeit the Bishop of Rome, otherwise called the Pope, hath been informed and certified of the effectual contents of the said act, to the intent that by some gentle ways the said exactions might have been redressed and reformed, yet nevertheless the said Bishop of Rome hitherto hath made none answer of his mind therein to the King's highness, nor devised nor required any reasonable ways to and with our sovereign Lord for the same: wherefore his most royal majesty, of his most excellent goodness, for the wealth and profit of this his realm and subjects of the same, hath not only put his most gracious and royal assent to the foresaid act, but also hath ratified and confirmed the same, and every clause and article therein contained, as by his letters patents under his great seal enrolled in the Parliament Roll of this present Parliament, more at large is contained."

A complement of the Annates Act

The enacting clauses then state that as it was not plainly expressed in the Annates Act how archbishops were to be elected, presented, invested, and

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[5] The King's last letter to Clement VII. was written in the end of the year 1532. Early in December 1533 he writes to Wallop, ambassador at the court of France, setting forth the provocations which he had received from the Pope, and ordering him to acquaint the French King therewith. "We have already," he adds, "taken such order with our nobles and subjects as we shall shortly be able to give unto the Pope such a buffet as he never had before." [State Pap., vii. 526.] The series of acts referred to in the text was no doubt the "buffet" alluded to.

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consecrated (in the event of the Pope refusing the compromise offered), therefore it is enacted (1) That no person shall henceforth be presented to the Bishop of Rome, nor apply for bulls from him. (2) That the King and his successors, on the avoidance of any see, "may grant" to the chapter "a license under the great seal, as of old time hath been accustomed, to proceed to election of an archbishop or bishop of the see so void." This license contained no restriction as to the person to be elected, but (3) it was to be issued "with a letter missive containing the name of the person which they shall elect and choose: by virtue of which license the said dean and chapter, or prior and convent, to whom any such license and letters missive shall be directed, shall with all speed and celerity, in due form elect and choose the same person named in the said letters missive to the dignity and office of the archbishopric or bishopric so being void, and none other." (4) That if the chapter delay or defer the election above twelve days, the king may nominate a bishop to the see by letters patent under his great seal, directed to the metropolitan of that or any other province, or (in case of an archiepiscopal see) to two bishops of the province, and an archbishop of another province, or to four bishops of any sees within the realm. (5) That when any such royal nomination, or a certificate of due election, signed by the dean and chapter, is conveyed to the archbishop or bishops, they shall at once proceed to consecrate the person nominated, giving and using to him "pall and all other benedictions, ceremonies, and requisites," without applying for them to the See of Rome. (6) Lastly, if the chapter refuse or delay beyond twelve

The congé d'élire to continue

with a letter of nomination

Absolute nomination by lapse

Bishops to consecrate under authority indicated days to elect the person named in the letters missive, or if the archbishop or bishops refuse to consecrate such person within twenty days, they "shall run into the dangers, pains, and penalties, of the Statute of the Provision and Præmunire made in the five-and-twentieth year of the reign of King Edward the Third, and in the sixteenth year of King Richard the Second."[6]

[illegible] penalty of breaking the Act

The Act still in force

The above statute is that under which bishops are still appointed. For a few years the congé d'élire was altogether abolished, as being a mere pretence, by Edward VI. [1 Edw. VI. cap. 2]: but both the Act of Henry and that of Edward having been repealed by Queen Mary [1 Mar. cap. 2; and

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[6] This Statute was supplemented by 26 Henry VIII. cap. 14, "For Nomination of Suffragans and Consecration of them." It stated that the preceding Act had omitted to provide for the appointment and consecration of suffragan bishops such as had been "accustomed to be had" for the assistance of diocesan bishops: and it therefore enacts—(1) That the following towns shall be accounted suffragan sees:—

Thetford,
Ipswich,
Colchester,
Dover,
Guildford,
Southampton,
Taunton,
Shaftesbury,
Molton,
Marlborough,
Bedford.
Leicester,
Gloucester,
Shrewsbury,
Bristol,
Penrith,
Bridgewater,
Nottingham,
Grantham,
Hull,
Huntingdon,
Cambridge,
Perth,
Berwick,
St. Germains,
The Isle of Wight.

(2) That every archbishop or bishop desiring to have a suffragan bishop is to name two persons to the Crown. (3) That the one selected by the Crown shall be consecrated by the archbishop of the province. (4) That suffragan bishops so appointed shall only act under the commission of the bishop whom they were appointed to assist, and not on their own authority.

Only about fourteen suffragan bishops have been appointed under this act; but it is still in force. Why the bishops have availed themselves of it to so small an extent is inexplicable. They were a regular part of our Church system in earlier days, the names being on record of 296 of these assistant bishops in England between the years A.D. 1016 and 1605. Of these –

34	were in diocese of	Canterbury,	1044-1597
29	,,	London,	1312-1605
29	,,	Worcester,	1297-1541
28	,,	Salisbury	[illegible]16-1537
28	,,	Exeter,	1275-1550
26	,,	York,	1310-1537
20	,,	Wells,	1385-1552

There is also evidence that the archbishops of Canterbury had a succession of Chorepiscopi dwelling at St. Martin's for nearly 400 years before the Conquest.

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1, 2 Phil. & Mar. cap. 8],[7] that of Henry only was revived by Queen Elizabeth [1 Eliz. cap. 1] in the act restoring its "ancient jurisdiction" to the Crown. The settlement thus made has not been disturbed by any subsequent legislation, and the license to elect is still counterbalanced and nullified by the letters missive naming the one and only person whose election the Crown will accept.

§ 4. Spiritual Jurisdiction Transferred from the Pope to the Archbishop of Canterbury

No interference with authority given to bishops by consecration

It will be observed that the abolition of the Pope's power in respect to episcopal appointments was kept quite clear of the Act of Consecration, no change whatever being made in the customs and ceremonies so far as they were associated with the spiritual phase of the episcopal office. But there were some functions that had been exercised by the Pope which were of a more directly spiritual nature than his interference with episcopal appointments had been, the granting, namely, of Dispensations, by which laws of the Church might be set aside, or licenses for doing that which the Church had forbidden. It is a remarkable evidence of the caution with which the legislative part of the Reformation was carried out, that this dispensing power, when taken away from the Pope, was not vested in the King, but in the highest ecclesiastical person of the

But some functions transferred from popes to archbishops of Canterbury realm, the Archbishop of Canterbury. This was done by an Act of Parliament [25 Hen. VIII. cap. 21] in 1533-4; which again was confirmed and extended by a later Act [28 Hen. VIII. cap. 16] passed in 1536.

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[7] This act was altogether repealed by 1 Jac. I. cap. 25, § 48, and a committee of Lords and Commons endeavoured three years afterwards to prove that Edward's Act was thus revived, but the judges decided that this was not the case, and that elections must still take place.

The first of these Acts is entitled, "The Act concerning Peter-Pence and Dispensations;" but Peter's-Pence had already ceased to be paid, and so little is said about them in the Act that the prominence given to them in its title must arise from the accident of their being mentioned in the introductory words. The Act does, in fact, sweep away all that remained of accustomed payments to the See of Rome, but the enactment respecting them only occupies one-twentieth part of the enacting clauses, and nineteen-twentieths are enactments respecting Dispensations and other instruments of a like nature. A large proportion of these are technical, but the earlier part is very important. It enacts (1) That neither the sovereign nor the subjects of this realm shall ever thereafter sue to the Pope, or to any of his deputies, for "Licenses, Dispensations, Compositions, Faculties, Grants, Rescripts, Delegacies, or any other Instruments or Writings, of what kind, name, nature, or quality soever they be of," for any cause whatever. (2) That such Dispensations, Faculties, &c., shall be henceforth granted to the sovereign and his subjects by the Archbishop of Canterbury, provided that nothing shall be so granted which is repugnant to the law of God, or has not been customarily granted formerly by the Bishop of Rome. (3) In case any such Dispensations, &c., should be required which were of a novel kind, they are not to be granted by the Archbishop until he has obtained

All taxation by Rome abolished

Application to Rome for Faculties, Dispensations, &c., forbidden

Such documents henceforth to come from the Archbishop a license for the purpose from the King or the Council. (4) All Dispensations, &c., so obtained from the Archbishop of Canterbury shall be as valid as if they had been obtained from the Bishop of Rome; the more important ones being confirmed under the great seal, and enrolled in Chancery. The second Act was for the purpose of confirming all Papal Dispensations that were not contrary to law, and of establishing in their offices those ecclesiastics who had received them under authority from the See of Rome.

Past acts of the Pope legalized

The nineteenth clause of this Act about ecclesiastical jurisdiction is of great importance, containing a statutory declaration that it is not intended to force the Church of England into an uncatholic position, or to change its character as a sound branch of the Church. It as follows:—

Church of England declared to be still catholic

> "Provided always, that this Act, nor any thing or things therein contained, shall be hereafter interpreted or expounded that your grace, your nobles and subjects intend by the same to decline or vary from the Congregation of Christ's Church in any things concerning the very articles of the Catholick faith of Christendom, or in any other things declared by Holy Scripture and the Word of God, necessary for your and their Salvations, but only to make an ordinance by policies necessary and convenient to repress vice, and for good conservation of this realm in peace, unity, and tranquillity, from rapine and spoil, ensuing much the old ancient customs of this realm in that behalf: not minding to seek for any relief, succours, or remedies for any worldly things and human laws, in any cause of necessity, but within this realm, at the hands of your highness, your heirs and successors, kings of this realm, which have, and ought to have, an imperial power and authority in the same, and not obliged in any worldly causes to any other superior."

This clause and the general tenor of this Act, as well as of the Act of Appeals, make it clear that the intention of the Reformation was to transfer all jurisdiction that was of a spiritual kind to spiritual persons within the realm, and not to the Crown. It was a difficult undertaking, and possibly some oversights may have occurred which left open a door for the entrance of abuses in later days; but a great effort was made to legislate effectually on the subject, and in a Catholic spirit.

Difficulty [illegible]

§ 5. Education of Public Opinion

Meanwhile measures were being taken for gaining the goodwill of the people at large towards the great constitutional reformation involved in the repudiation of the Papal jurisdiction. Some Privy Council memoranda of the year 1533 are preserved among the State Papers, which contain some curious evidence of the manner in which the pulpit was used for this purpose, and show what a powerful engine it was in the hands of those who could gain the clergy to their side on any great national question. The bishops were to be sent for and spoken with separately as to their opinions, the crucial question being put to them whether the Pope was above a General Council, or the Council above him. Then those who could be persuaded to do so were to set forth, preach, and cause to be preached, that the Pope ought to be subordinate to a General Council, and that he had no legitimate jurisdiction in England. The "Paul's Cross" sermons are specially named, and so also are the four orders of friars; and it is particularly mentioned respecting the Friars

Tuning the pulpits as to the supremacy question

Observants, that they are not to preach at all if they refuse to preach as the Privy Council directs, the same rule being applied, indeed, to all other monks, and to parish priests, but the Franciscans seeming to offer special reasons for doubt.[8]

Circulation of Act of Appeals

It was also ordered that the Act of Appeals should be set up in every parish church, and beside it the "provocations and appellations" which the King had made from the Pope to a General Council. The same documents were to be circulated widely abroad, especially in Flanders, on account of the Emperor's influence there. And, lest it should be thought that this opposition to the See of Rome emanated from the King alone, a letter was "to be conceived from all the nobles, as well spiritual as temporal, of this realm, unto the Bishop of Rome, declaring the wrongs, injuries, and usurpations used against the King's Highness and this realm."[9] Another minute, apparently of the same date, orders that a strict commandment be given to the mayor, aldermen, and common council of London, to "liberally speak at their boards" on the same subject, and to teach their servants to declare the same. A similar order to be issued to all country mayors, &c., and also to the nobility, who were to command their families to

Social politicians to be made

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[8] The Observants (Franciscans, Minors, or Grey Friars) were at one time great favourites with Henry VIII. He wrote in their favour to Leo X. on March 12, 1513, giving them the highest possible character for Christian poverty, sincerity, charity and devotion. [Ellis' Orig. Letters, III. i. 166].

[9] Against this minute Cromwell has written in the margin, "Not yet done, nor can well be done, before the Parliament." But the Acts of Council of Dec. 2nd [State Pap., i. 414] order a draft of a letter to be prepared, the Council first examining an old letter of a similar kind written in the time of Edward I.; and also the last letter which had been sent to the Pope. Such a letter will be found in the chapter treating of the divorce, page 157.

"bruit the same in all places where they shall come."[1]

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Such a "tuning" of pulpits and official houses, and of the dining-tables of the great, has been succeeded in later days by the influence of the press, and by public meetings: but perhaps Henry VIII. and Cromwell must be considered as the first English rulers who recognised so fully the immense power which is wielded by public opinion, and the first who took such definite and extensive measures for winning it over to their own side of a question.[2]

Force of public opinion thus recognised

§ 6. Theological Repudiation of the Papal Jurisdiction

It will have been observed that the legislative acts by which the jurisdiction of the Pope was

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[1] State Pap., i. 411.

[2] At a later period of his ministry Cromwell used this power still more extensively, and in a far less justifiable manner, for he caused ballads and tracts to be circulated of the most ribald and false character, and encouraged the Puritans to act blasphemous plays in the churches dedicated to the service of God. "This valiant soldier and captain of Christ, the aforesaid Lord Cromwell, as he was most studious of himself in a flagrant zeal to set forward the truth of the Gospel, seeking all means and ways to beat down false religion and to advance the true, so he always retained unto him and had about him such as could be found helpers and furtherers of the same; in the number of whom were sundry fresh and quick wits, pertaining to his family; by whose industry and ingenious labours, divers excellent ballads and books were contrived and set abroad concerning the suppression of the Pope and all popish idolatry." [Foxe, v. 403, ed. 1838.] These ballads are of the most abominable kind, full of immorality and obscenity. Burnet also says that "the political men of that party" made great use of stage-plays and interludes, which were often acted in churches, "encouraging them all they could:" and that these plays represented "the immoralities and disorders of the clergy," and the "pageantry of their worship." [Burnet's Reform., i. 502, Pocock's ed.] The horrible coarseness of such representations of immorality, and the blasphemy of parodying the Holy Eucharist in the very house of God itself, seem not to have struck these writers!

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renounced deal exclusively with the administrative and, what may not unfitly be called, secular phase of the question. Parliament enacted that no taxes should be paid by Englishmen to the Bishop of Rome,—that he should have no judicial authority in England,—that his assumed rights to patronage should be abolished,—that his license should not be required for ecclesiastical appointments,—and that he should no longer have authority to override English law by his dispensations.

Papal interdicts interdicted

In the course of all this legislation it became necessary sometimes to tread on the boundary of the theological question; as for example, by providing that papal excommunications and interdicts should not prevent the celebration of divine service or the administration of sacraments. But nothing was said as to the spiritual authority of the Pope by reason of his *episcopal* office, all these laws relating to ecclesiastical rights, which were not (to say the least) indissolubly bound up with the theological principle. It might be that although the legislature of the country had justly enacted all this, yet the Pope had a spiritual power over the souls of Englishmen which no legislative act could abolish; and that this power was effective in the spiritual world and in the sight of God, though not in the world which temporal laws deal with, or in the sight of man.

Church and Universities decide formally against papal claims

The theological aspect of the papal jurisdiction was sent for determination to the Convocations of the clergy, and to the Universities of Oxford and Cambridge. Of the discussions which ensued, no records remain, those of Convocation having been destroyed by fire. But there does remain on record the definitive sentence of the Church of England, uttered by its

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representative assemblies. The Convocation of Canterbury declared, on March 31, 1534, and that of York on May 5, 1534, "that the Bishop of Rome has no greater jurisdiction conferred on him by God, in this kingdom of England, than any other foreign bishop."[3] There seems to have been no difficulty in obtaining the assent of the clergy, whether in the Convocations, at the Universities, or elsewhere, to this final repudiation of the papal supremacy. It was subscribed, apparently without hesitation, even in the monasteries. The learned Wharton[4] says that documents then in his custody showed how general the subscription was. There remained in the Exchequer in his time no fewer than a hundred and seventy-five authentic instruments of this kind, which contained the subscriptions of all the bishops, chapters, monasteries, colleges, hospitals, &c., of thirteen dioceses: and that to his certain knowledge, the original subscriptions of the remaining dioceses were lodged elsewhere. The University of Oxford subscribed on June 27, 1534, that of Cambridge about the same

General assent of the clergy

in every diocese of England

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[3] Wilkins' Conc., iii. 769, 782, 783. The form given by Collier from the Journal of Convocation is "Quod Romanus episcopus non habet majorem jurisdictionem sibi a Deo collatam in hoc regno quam alius quivis externus Episcopus." Collier's Ecc. Hist., iv. 263, ed. 1852.

Rymer has the following:—"... Tandem dicti prelati, et clerus Eboracensis provinciæ antedictæ, post diligentem tractatum in ea parte habitum, ac maturam deliberationem, unanimiter et concorditer, nemine eorum discrepante, prædictam conclusionem" (quod Episcopus Romanus, in sacris scripturis, non habet aliquam majorem jurisdictionem in regno Angliæ, quam quivis alius extraneus episcopus) "fuisse et esse veram affirmarunt, et eidem concorditer consenserunt." Convocation of York, June 1, 1534; Rymer, xiv. 493.

A similar document by the University of Oxford in equally strong language, and declared to be "publice totius academiæ nomine" was sealed with the University seal in congregation on the 27th June, 1534.

[4] Observations on Strype's Memorials of Abp. Cranmer. Many such subscriptions, including that of the University of Oxford, are contained in the British Museum, MS. Cleop. E. vi.

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time: and the bishops were even zealous in preaching on the subject, as may be seen by their letters still extant.[5] The almost centenarian Bishop of Chichester, Robert Sherborne, who had presided over that see since 1508, writes that he had preached himself concerning it on June 13th, that he had commissioned his suffragan to do the same in the towns of his diocese, and that "there is neither abbot, prior, dean, archdeacon, provost, parson, vicar, nor curate within my diocese, but they have commandment to publish the same in their churches every Sunday and solemn feast accordingly."

The clergy of England were, there can be no doubt, quite ready at that time to renounce the papal supremacy: and English divines had no hesitation in declaring that there was a total absence of theological ground for its maintenance. A period of reaction came when (as in early mediaeval days) the tyranny of the crown and its ministers bore so heavily upon them that they were willing to bow themselves again under the old yoke, as the less heavy and ruinous to the Church. But so long as the question was unencumbered by such circumstances, and it seemed as if the independent Church of England would be fairly dealt with by the crown, so long the clergy were willing not only to recognise the principle, but to act upon it in practice, that the jurisdiction of the Pope in England was an usurped jurisdiction, and one that ought to be put away.

Summary

A few words will suffice to sum up the course of legislation by which the papal jurisdiction in England was extinguished.

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[5] In the same volume.

1. In 1531 the clergy in Convocation petitioned the King for an Act of Parliament by which the payment of annates should be abolished; suggesting that if the Pope resisted the operation of such an act England should withdraw from obedience to Rome. This declaration was nearly contemporaneous with the recognition of the royal supremacy by Convocation.

2. A provisional act was passed in consequence, embodying the wishes and the suggestions of the clergy. This Act [23 Hen. VIII. cap. 20] did not come into operation for nearly three years, the King meanwhile endeavouring, but in vain, to bring about an amicable arrangement on the subject with the Pope.

3. In 1532-3, an act was passed abolishing the appellate jurisdiction of the See of Rome, and vesting it in the archbishops, bishops, and other ordinaries of the Church of England. But by the "Act of Submission," which shortly followed, a final appeal was permitted to the King in Chancery.

4. In 1534, the influence of the Pope in the appointments to English sees, and the profits which he derived from it, received its final death-blow from an act [25 Hen. VIII. cap. 20] which forbad the payment of first-fruits to him, and defined the manner in which bishops were in future to be appointed, by a nominal election of the person nominated by the King in letters missive accompanying the congé d'élire.

5. In the same year an act was passed [25 Hen. VIII. 21] confirmed by another in 1536, by which, although all that had been done by the Pope in previous times was allowed to stand for the sake of

the vested interests involved, no further authoritative documents from him were to run in England.

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6. Finally, the Convocations of Canterbury and York, the Universities, and all the clergy of England endorsed—as they had suggested—the Acts of the State, by declaring that "the Bishop of Rome has no greater jurisdiction conferred on him by God in this kingdom of England than any other foreign bishop."

Thus the jurisdiction of the Pope was finally abolished in this country, being transferred in spiritual things to the local episcopate, in temporal things to the crown. What is called "Roman Catholic Emancipation" has led to a restoration of it, by sufferance of Parliament, over that part of the nation which belongs to the Roman Catholic sect, but the Church of England has rejected it once and for ever.

CHAPTER VI

THE DISSOLUTION OF THE MONASTERIES

[A.D 1535—A.D. 1545]

WHEN Henry VIII. took upon himself to shut up all monasteries throughout the land, to appropriate their possessions, and to turn their inmates adrift, he accomplished his work in a tyrannical, unjust, cruel, and covetous manner. Most of the persons whom he used as his agents in the business were unprincipled men, for whom not a word of good can be justly said ; and most of those who encouraged and assisted the King in the dissolution did so for selfish objects, and for selfish objects alone. If the results of the dissolution had been wholly good, the manner in which those results were attained must still have been condemned as base, criminal, and sacrilegious ; and the character of the men by whom they were brought about could not have been redeemed from just odium and abhorrence by them.

What is to be said against the mode of dissolution

Yet the dissolution of the monasteries was not without justification, and if the truth is to be told on one side, it must be told on the other also.

Not all that is to be justly said

It is true that as the monastic principle is entirely a reasonable one, so its practical development in England had been attended with very noble results. That development was in itself a sign that a living and active Christianity was at work in the land; and there never was a finer human institution than that of the Benedictine order, which maintained civilization, saved learning from destruction, and raised glorious edifices, where a never-ceasing round of praise and prayer was offered to the Divine Majesty. And what the Benedictines were on a large scale, other communities of the religious often were on a smaller one. In theory the lives of all monks and nuns were spent in praying to God, and in working for Him; and there is good reason to believe that thousands upon thousands made their practice as consistent with their theory as human imperfection would allow. The idea that monastic institutions were essentially opposed to good morals and a high tone of Christianity, is one of those foolish notions which got hold of the popular mind in days when partisan falsehoods and profligate ribaldry were looked up to as authoritative evidence; but it is one of those notions which must vanish away as soon as historical truth is brought to light.

Merits of monastic system

Absurd to suppose it essentially evil

It is quite possible, however, that there may be a point at which the best of *human* institutions cease to be a benefit to society, at least in the form in which they were originally founded. To put this in an extreme form,—it would have been folly to have maintained an order of Knights Templars after pilgrimages to the Holy Land had been discontinued; or to maintain the numerous mediæval hospitals which were provided for lepers in an age when that fearful disease had become almost extinct.

But best systems wear out

It may be said, indeed, that such orders as that of the Benedictines had nothing of this special character about them, but were suited to all ages; and that it is doubtful whether an active Christianity could ever exist without some such association of men and women into praying and working communities. But, allowing this to be true, it still only goes to the extent of suggesting what many good men maintained at the time of the Reformation, who yet thought that the monastic system had outgrown its proper bounds, namely, that the dissolution of religious houses went too far, and that some should have been left in every diocese as houses for contemplative devotion, and as centres of active work.

Monasteries ought not all to have been dissolved

But they became too numerous

The excessive number of monasteries was, in fact, the cause of their ruin. A great number existed before the Norman conquest, but nearly thirteen hundred (including one hundred hospitals) were founded between that epoch and the Reformation, and as some of them were very large, it is manifest that they must have reached an unreasonable disproportion to a population which never exceeded four and a half millions. During the three hundred years between the Conquest and the end of Edward III.'s long reign, about twelve hundred of these institutions were founded, but not more than one hundred in the century and a half which ensued before the Reformation; the annual proportion during the latter period being therefore only one-sixth of that of the former. These facts show that there was a vast number of these institutions existing in the Middle Ages, and that for some reason or other the establishment of them had conspicuously slackened

and their foundation at last stopped in consequence

CHAP VI in the five or six generations which preceded their final dissolution.

Restraints necessary for public welfare

It had, indeed, been found, long before the sixteenth century, that public policy required some restraint to be put upon the action of the monastic system, for it was gradually absorbing the lands of the country to such an extent as to make the monks proprietors of the soil in a proportion far beyond what was expedient for the general good.[1] The estimates of their possessions at the time of the Reformation vary, but the lowest allows that they amounted to one-tenth of the soil of England and Wales; while the highest makes it no less than one-fifth. It was not by unfair dealing or rapacity that the monasteries had acquired such immense possessions.[2] Excessive zeal for the interest of their communities no doubt led individual monks here and there to urge bequests on dying persons; but there were other causes for this accumulation of land and wealth, which were so active in their operation that it is not necessary to imagine this one general. (1) The monasteries were for ages the natural depository of that stream of wealth which is always flowing towards the service of God. They had become the central establishments for the constant and worthy offering of divine worship, and also

How the monastic wealth accumulated

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[1] Sir Henry Spelman says that an estimate of their lands was taken in Edward I.'s reign, when it was found that the whole lands of England amounting to 67,000 Knights' fees, 28,000 of these were in the hands of the clergy. Probably this includes *all* Church lands. Spelman's History of Sacrilege, p. 200, ed. 1853.

[2] They often exercised considerable legal ingenuity in preventing the alienation of bequests. [See Blackstone, book ii. chap. 18.] But this was a very different thing from obtaining the bequests to be made by fraud or undue pressure. The same legal ingenuity is used every day in evading the stringency with which entailments tie up the sale of land.

for the dispensation of alms. To further these two great objects of Christian zeal and love, riches were placed in their hands by the living who wished so to apply them, and by the dying also; and of both living and dying there are multitudes in every age who would wish so to apply their property from the very best of motives. The Christian spirit which now places many hundreds of thousands a year in the hands of missionary, Bible, school, and other societies, gave it, in these ages, to the monastic bodies; trusting them for its proper expenditure as we trust committees and secretaries. (2) In ages of great lawlessness and rough dealing it often happened that penitents were unable to make the actual restitution which they desired for the wrong deeds of their former life, and they naturally substituted for it the dedication of their ill-gotten property to sacred uses, themselves very frequently taking a monk's habit, and living the rest of their days in the monastery which they had enriched. It might be a rough way of making amends for a rough life, but it was better than none. (3) The current ideas respecting a future life made it appear possible that those who gave largely to religious institutions would escape some of the penalties due to their sins. The same ideas are found in every age, and the modern usurer will on such grounds leave his money to a hospital. In the Middle Ages persons tried to ensure their speedy deliverance from the pains of a future life (that is, as they understood it, the pains of purgatory) by bestowing large bequests on ecclesiastical corporations, with the condition that constant prayers were to be offered for their suffering souls.

as the wealth of modern societies

through penitential remorse

and belief in a penal purgatory

In these various ways, the monastic corporations became the recipients of immense gifts and bequests, very frequently in land: and the accumulation of property in the hands of one class, and that a class to which peculiar rights belonged, became a serious question for those on whom the responsibility of government rested. Many other farseeing persons also saw that a public wrong was being wrought under the cover of the most excellent motives and objects; while even popular opinion occasionally burst out in an ignorant resistance to something which was felt to be doing an injury to the commonwealth, though in what manner might not be clearly understood.

But evils were springing out of this wealth

Hence arose popular outcries against the wealth of the Church at large, such as that of which Wickliffe was the head in the fourteenth century, and which his followers, the Lollards, kept up long afterwards. Hence also arose fierce attempts on the part of the House of Commons to confiscate the whole of the possessions of the Church, a well authenticated instance of which is recorded as occurring in 1410.[3]

Monasteries attacked by House of Commons A.D. 1410

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[3] This is recorded by Stow in his Annals, p. 338, ed. 1615, and by Hollingshed in his Chronicles, vol. iii. p. 536, ed. 1587. But a more full account of the transaction—a very wild and absurd one by the bye—is given in one of the Lansdowne MSS. as follows:—

Billa porrecta parliamento pro temporalibus extra manus religiosorum capiendis xj. anno Regni Regis Henrici Quarti.

In thys yere also the kyng held hys Parlyment at Westmester duryng the whyche the Comons of thys lande put up a byll to the kyng to take the temporall lande out from the spirituall menes hande or possession. The effect of ye whyche bylle was y^{t} ye temporaltes dysordynatly wastyd by mene of the Churche myght suffyce to fynd the kyng, xv Erles, xv c Knyhts, vi m. & ii cc Squyres and an c hosys of almes to the relefe of poore people moo then at that days were wythin Englond: and over all thes foresayd chargys the kyng myght put yerely in hys cofers xx^{ti} m. li [£20,000] provided that Every erle shuld have of yerly rent iij m. [3,000] mark, Every knyght an hundred marke and iiij plowe lande, and Every howse of almes an c marke with oversyte of ij trewe seculars unto every howse and also with provision y^{t} every townesype shuld kepe all poore peple of ther owne dwellers, whych

And hence, above all, those legitimate restraints upon the possession of land in perpetuity which are known as the Statutes of Mortmain.

Bequests in mortmain

The bequest of land to religious houses so that it should become inalienable, that is the property of a religious corporation in perpetuity, was forbidden by Magna Charta; and a clause was often inserted in charters by which land was held which was intended to have a similar force. Such bequests were said to be "in mortmain," given into a dead hand that could not render the military service to the crown to which every landholder was bound, nor give the crown other advantages which it derived from lands capable of changing hands. In the year 1225, therefore, the original Statute of Mortmain was passed [9 Hen. III. cap. 36] which forbad the gifts and bequests of lands to religious houses by such fictitious processes as had been adopted for the sake of evading the principle already set forth in the Great Charter. Subsequent statutes were still necessary to contend against this practice, and the King's license was made absolutely necessary to such gifts in mortmain under pain of

forbidden to religious houses

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myght not labor for y^{r} lyuynge with condysion that yff mo fell yn a towne y^{en} y^{t} towne myght mayntayn, than the sayd almes howsses to releve sych townsypes and for to bere thyse charge they alledgyd be they sayd byll beyng in the possession of spyrytuall men amountyd to cccxxij m. marke [322,000] be year. Whereof the affyrmyd to be in the See of Canterbury &c. [then follows a list of the various monasteries and abbeys which they propose to suppress] in see of Durham, London, York, Wynchester, Lyncoln, { Norwyche, Worcester, } [bracketed in MS.] Chester, S. Davyds, Cecester, Salysbury, Hely, Bathe.

That they allegyd be the said byll y^{t} over and above y^{t} the sayd sume of cccxxij m. marke, dyverse howses off religion yn England possessyd as many temporaltys as myght suffice to fynd yerely xl m. prestys & clarkes, Every preste to be alowed for hys stypend vij marke be yere.

To ye whyche byll none ansare was made but y^{t} the kyng off y^{t} matter wold take delyberacion an advymend and w^{t} y^{t} answer yt endyd, so y^{t} no farther labour was made. [Lansdowne MSS., vol. i. no. 26, fol. 66.]

forfeiting the lands to the crown. These statutes of mortmain became so burdensome to the Church after the suppression of the monasteries, that they have been mitigated by other acts in the reigns of Elizabeth, William III., George II., and George III., but when they were enacted, they were necessary even to the welfare of the Church, which was in positive danger from becoming overloaded with wealth.[4] As time went on, this accumulation of wealth attracted the attention of covetous men. The Commons desired its appropriation to the public service as a means of diminishing their burden of taxes: the nobles looked to it as a means of increasing their estates and their political power. The monasteries had thus, by the very piety of successive generations, become too great for the general welfare of the body politic: and their greatness had also made them a tempting prey to those with whom public policy had less weight than private interest.

Wealth of monasteries invited spoliation

Church injured by excessive number of monastic houses

But it was not only against the public policy of the state that the monasteries had offended. The interests of the Church itself required that some check should be put upon the increase of their number; and, as it appears from the acts of so astute an ecclesiastical ruler as Wolsey, that even their existing number should be greatly diminished. Monasteries had originally been almost entirely lay communities, and in their first institution were not subjected to any special jurisdiction of the bishops, as they would have been had they been communities of clergymen. But the 4th canon of the Council of Chalcedon (the 4th General Council, held A.D. 451) forbad the erection of any monastery without the consent of the bishop in whose diocese it was to be situated, and required all monks to be under episcopal supervision as if they were clergymen. This was generally observed for a time, but some were galled by the yoke, and immunities began to be asked for by and granted to founders.[5] These immunities were gradually extended, until in the eleventh century monasteries often escaped altogether from the jurisdiction of the bishops by a grant of exemption from the Pope, which released them from all ecclesiastical supervision except his own. St. Bernard protested strongly, in a letter to Eugenius III., against such exemptions, as did also the successor of St. Thomas a Becket in the see of Canterbury to Alexander III. Several councils protested against them also, and succeeded in gaining some concessions from the Popes as to the rights of bishops over monks in their dioceses.[6] Baronius says that the exemption of the Franciscan order from episcopal jurisdiction was contrary to the wish of the founder, and was obtained in spite of him; and as the friars were intended, both by St. Dominic and St. Francis, to be assistants to the parochial clergy, it seems impossible that either of them could have contemplated such exemption for their orders. Notwithstanding all this opposition, however, the monks and

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[4] By existing laws no land, nor any money or goods for the purchase of land, can be received by any ecclesiastical corporation (except the universities and the great schools of Eton, Winchester and Westminster) unless given at least one year before the giver's death. This provision is hedged in by every possible contrivance, so that legacies of money for the purchase of land are as utterly valueless and void as legacies of land itself.

Exemption of monasteries from episcopal control

Not the intention of the greatest founders friars became very generally freed from the jurisdiction of their bishops, and subjected only to that of the Pope. Many abbots, although only priests, were allowed to use the mitre and crosier, and to exercise the same jurisdiction within their monasteries as the bishops themselves did outside their walls, and even to confer the minor orders. And thus the disciplinary system of the Church—a system which must be regarded as of Divine institution —was to a great extent subverted; and the more monks and friars there were in holy orders the more clergy there were freed from the proper jurisdiction of their proper bishop who was within reach, and subject only to that of the Bishop of Rome, who (at the best) could exercise his usurped jurisdiction only by a deputy. The consequence was that monasteries were practically placed outside of the system of the Church; and every English bishop had a large number of clergy within his diocese over whom he had no control,[7] either in person, or by his archdeacons. The very first principle of the Divine system of episcopacy was perverted; and, in effect, disregarded altogether. And when it is remembered that by means of their appropriations, the monks had become responsible for a large proportion of the parochial duty in every diocese, it will be evident that the integrity of the Church system was very seriously invaded by the upgrowth of this wrong custom in the monastic system. When Wolsey was preparing for the Reformation of the Church, it was his first care to undermine the vast obstacle which

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[5] Van Espen., III. xii. 2, 3.

[6] Conc. Lateran, 1123, Canons 17, 18; Conc. Lateran. 1179, Canon 9; Conc. Lateran, 1215, Canon 12. A vigorous attempt to procure the abolition of exemptions was also made at the Council of Trent, but the Pope would not give way.

Discipline of Church thus much relaxed

and its first principles perverted

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[7] Some fragmentary relics of this system of exemption still exist in the shape of "Donatives," which are exempt from episcopal, and "Peculiars," which are exempt from archidiaconal jurisdiction.

such exemptions from diocesan jurisdiction offered to all progress in that direction; and by persevering application at Rome, he obtained an authority over all monasteries as legate *a latere*, which he would doubtless have used as a lever for the restoration of proper jurisdiction to every bishop.

Such evils were very important in their [illegible]

It will thus be seen that the increase of monasteries in England had been accompanied by two very serious evils, the suppression of which would have been perfectly lawful, since they interfered with the general welfare of the body politic and the body ecclesiastic. How far excessive wealth and excessive liberty led to other evils is a question upon which no certain verdict can be given, through the unsatisfactory nature of the evidence which has come down to us. This subject will, however, be brought before the reader again in a subsequent page. But even supposing there was no extraordinary wickedness among the monks of the sixteenth century, it must be admitted that there were strong arguments for reforming the monastic system; that it had wandered into wrong principles as regards its relations both to the Church and the State; and that it is extremely probable these deviations in principle had led to practical abuses which contemporary lookers-on saw very clearly, and which we too should see clearly if we had more perfect records of those distant times.[8]

and quite justified plans for reformation though no real excuse of Henry VIII.'s confiscations

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[8] Wolsey issued a commission (as legate *a latere*) to the Bishop of Sarum, empowering him to visit the nunneries of his diocese, and proceed against such as were guilty of "enormities, misgovernances and slanderous living." Nuns so transgressing were to be removed to other religious houses. [Fiddës' Wolsey, Coll. No. 65.] One at least of such nunneries was suppressed in consequence, that of

Suggested by Wolsey's dissolution of religious houses

of which Cromwell had been an agent

If, however, these constitutional errors of the monastic system were to be represented as influencing Henry VIII. in respect to his project of dissolution, we should be fairly open to the charge of making a fine-drawn apology for a fallen angel whose denigration is beyond the power of an impartial historian. The accomplishment of his will and the furtherance of his interests were the only objects which Henry set before himself, and the only apology that can justly be made for him is that he was not wholly without constitutional authority and precedent in taking the course which he did. The dissolution was immediately suggested to him, no doubt, by the steps which Wolsey had taken towards converting many monasteries into colleges and bishoprics, and amalgamating the smaller ones with the larger. To do this it was necessary that the monasteries to be converted should first be dissolved, and the Cardinal had proceeded so far with his plans as to have actually dissolved the thirty or forty whose revenues were applied to the foundation of Christ Church and Ipswich Colleges. Thus a pathway had been made, and the machinery had been constructed; and Cromwell, Henry's chief agent in dissolving the monasteries, had already learned in what direction to go, and how to use the machinery of dissolution, while in the service of his old master the Cardinal.

Other precedents

There were also royal precedents for dissolution, the knowledge of which would doubtless weigh with Henry when the project was once entertained. The

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Bromehall, in the year 1521, and its possessions given to St. John's College, Cambridge. [Ibid., No. 64. Brewer's Calend. St. Pap., iii. 2080, 2630.]

[illegible]
A.D. 1307

Knights Templars had been dissolved in the time of Edward II.; and by a bull dated November 22, 1307, Clement V. had given the custody of their lands in England to the King until further orders were sent from the Apostolic See. The ultimate disposition of these lands was, however, taken into consideration by Parliament, and an Act was passed [17 Edw. II. cap. 3] in 1324, which declared as follows:—(1) That the King and other lords of the fees might well and lawfully, by the laws of the realm, retain the lands as their escheats in regard of the dissolution of the order. (2) But because the lands had been given for the defence of Christians, and the Holy Land against Pagans and Saracens and other enemies of Christ and the Church, it is enacted that neither King nor any other person shall retain those lands, notwithstanding any law or custom of the realm. (3) Wherefore the King with the assent of his Parliament assigns them to the Brethren of the Hospital of St. John of Jerusalem.[9] More than a century later, Henry V. dissolved a number of "alien priories," cells of French monasteries whose inmates seemed likely to be dangerous while he was carrying on his war with France. But with some of their lands he founded the noble monasteries of Sheen and Sion, and others he gave to New College and Winchester. It does not appear, therefore, that either of these kings was so bold as actually to appropriate to secular use the whole of the property which had once been set apart for sacred objects: and thus

and alien
priories
A.D. 1416

but property not alienated from the Church these royal precedents were far from justifying the course taken by Henry VIII.[1] On the other hand, there were certain principles of the English law which seem to have been well established, and well known. (1) The Crown had a right to all ownerless lands, and to all confiscated lands, as ultimate lord of the fee. (2) "According to the most ancient laws of the kingdom, whatever possessions or revenues were conferred on the Church or a religious house, under terms and conditions, or for a certain and determined use, if the receivers neglected to observe, fulfil, or execute, the use, cause, condition, or terms of the primary donation, then the collators or their heirs by reason of such defect or failure might re-enter, and possess the said lands and revenues."[2]

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[9] Johnstone's Assurance of Abbey Lands, p. 40. Rymer states that Clement granted these lands, and the King confirmed the grant on Nov. 28, 1313: but that, notwithstanding, the latter gave some of them away to laymen. Rymer iii. 323.

Yet the law permitted such alienation

Hence Henry VIII. had a quasi-legal ground to go on

Though there is no evidence whatever that Henry VIII. desired anything else than to increase his power and replenish his treasury by the suppression of religious houses, yet it is clear that he wished to keep up a semblance of constitutional justice, and these principles and precedents may thus be taken for what they are worth, and as far as they will go, in his justification. The personal character of this monarch is far from being of paramount importance as a matter of research in the history of the Reformation: but having asserted that the true faults of the monastic system formed no part of Henry's real reasons for opposing and destroying it, there seemed a necessity for pointing out the probable grounds upon which he did proceed. And these antecedent considerations being brought to a close, we may now resume the thread of the history, and follow out in detail the course of the dissolution.

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[1] To these royal precedents may be added that of Henry's contemporary, Philip, Landegrave of Hesse, who confiscated monasteries in 1526, and with some of their endowments founded the University of Marburg. Probably he did this by the advice of Luther: by whose advice also he married a second wife while his first was living.

[2] Kennett on Appropriations, p. 114. See 13 Edw. I. cap. 61; Gibson's Codex, 686; Rymer, iii. 135.

Wolsey dissolved [illegible] houses [illegible] Church

The steps which had been taken by Cardinal Wolsey towards the suppression of a large number of monasteries, were taken with the object of making their estates and possessions more practically useful to the Church, and so long as he was in power, the King was not able to lay his all-grasping hands upon any portion of those possessions. On the ruin of Wolsey, Henry immediately swept them all into his coffers as if they had been the private property of the Cardinal, and were so forfeited to the crown. He doled out, indeed, some fragmentary scraps of what he had appropriated, towards the meagre completion of Christ Church; but the far greater part he used for his own purposes. The spoil thus acquired, from this and other sources, by the destruction of his great minister, sufficed to eke out the King's vast expenditure for a year or two; but he soon began to be pinched again for a revenue proportionate to his extravagance. He had, indeed, passed through a kind of parliamentary insolvent court in 1530, and added to his many extortionate acts that of repudiating all his debts.[3] He had also appropriated the annates and first-fruits which used

Henry VIII. to meet his extravagant expenditure previously to the repudiation of the papal supremacy to be paid to the Pope. Furthermore, he had the £24,000 a-year fine which the clergy paid to him as a composition for his pardon on account of a crime which they had never committed, and this sum probably amounted to nearly a quarter of a million of our money.[4] But notwithstanding these extraordinary windfalls, and the ordinary immense wealth of the crown during his reign, the King began to feel about for further augmentations of his revenue as soon as the exhaustion of the five years' extortion drew near.

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[3] By an Act of Parliament [21 Hen. VIII. c. 26], entitled "an Act for the releasing unto the King's Highness of such sums of money as was to be required of him by any of his subjects for any manner of Loan, by his letters missive, or other ways or manners whatsoever." These loans (equivalent to our "Funds" in principle) were secured to the unfortunate lenders under a deed of "promise by these presents, truly to content and repay," and sealed with the Privy Seal. Amos' Statutes of Hen. VIII. p. 69.

His great revenue from the Church already insufficient for making up the funds required

Since the fall of Wolsey, his former secretary, Thomas Cromwell, had been the King's chief adviser, and the attack upon the monasteries was suggested by him as a means of overcoming the principal difficulty of his government, that of providing funds to meet the unbounded and licentious extravagance of the court. The precedent set by Wolsey was technically adhered to, though with a totally different object. Wolsey had caused a visitation of the monasteries to be made, with the view of ascertaining their real condition and devising measures for their reformation. Out of this visitation, no doubt, arose his plans for the dissolution of small monasteries, that they might be converted into colleges and bishoprics. Acting on this precedent, the smaller monasteries were first attacked by Henry VIII. and his obsequious tool, Cromwell; the dissolution being preceded by a general visitation, that it might not seem so much an act of mere tyrannical violence as it really was.

Wolsey's precedent of visitation

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[4] In the first Act of Suppression [1535-6] the clergy are said to be still "in debt" to the King on account of this fine.

Act under which they were visited

By the 20th clause of an act of 1533, "concerning Peter's-pence and Dispensations", [25 Hen. VIII. c. 21], the right of visitation had been transferred from the Pope to the King, who was thus empowered to issue commissions under the Great Seal for visiting "monasteries, colleges, hospitals, priories, houses, and places religious, exempt." Commissioners thus appointed were intended to occupy the same legal position as those who had acted under the authority of Wolsey when he himself was acting with the King's license as legate *a latere* of the Pope; and it is not unlikely that Cromwell had gone round the country in this capacity, as well as to Ipswich, when in the service of Wolsey. If so, he thus acquired much information respecting the condition of the religious houses, which would well qualify him for taking the lead in their destruction.

Earliest visitations

The first royal commissions under this act were for the visitation of the Charter House monks in London, and the Observants at Richmond and Greenwich, all of whom had been accused of complicity in the treason of "the Maid of Kent," and of opposing the King and his divorce, and in his assumption of the supremacy. But the commission for a general visitation of all the monasteries was not issued, or at least not put in force until the autumn of 1535.[5] No copy of the commission itself is known to be in existence, but the "Articles of Enquiry," and the "Injunctions" which the commissioners carried with them, may still be seen in the British Museum library.[6] The names of the commissioners can be

General visitation

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[5] Lord Herbert (p. 424) gives two speeches for and against the dissolution which appear to be intended as representing the discussions of the Privy Council on the subject.

[6] Cotton. MSS. Cleop. E. 4, fol. 13, 21.

Names of visitors

partly gathered from their letters, of which a large number remain, and of which many have been printed in recent times.[7] They appear to have been Dr. John London, Dr. Thomas Legh, John Ap Rice, Thomas Bedyll, Henry Polsted, John Anthony, Dr. Richard Layton, Edmond Knyghtley, John Lane, George Gyffard, Robert Burgoyn, John Williams, Richard Pollard, Philip Paris, John Smyth, William Hendle, Richard Bellasys, Richard Watkyns, William Parr, Robert Southwell, Thomas Mildmay, William Petre, and Richard Yngworth, Suffragan Bishop of Dover. But these were probably put into the commission at various dates between 1535 and 1538, and the most active all along appear to have been London, Legh, Layton, Ap Rice, and the Bishop of Dover: all of whom had, as well as some of the others, been employed already by Cromwell in some or other of the unclean transactions which he had to manage.[8]

Character of visitors

What these men were is sufficiently evident from their letters, and from the disgraceful facts that are known respecting several of them. Fuller sums up their character in a few pithy words, "They were men who well understood the message they went on, and would not come back without a satisfactory answer to him that sent them, knowing themselves were likely to be no losers thereby."[9] The general impression of contemporaries was that they were men of no principle, sent out with certain nominal objects in view, but really pledged to foregone conclusions, and to the accomplishment of as much confiscation as they could manage.

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[7] In Ellis' Orig. Lett., III. iii., and Wright's Letters relating to the Suppression of the Monasteries, a Camden Society volume.

[8] Layton and Ap Rice (Notary Public) are among the Commissioners sent to interrogate Bishop Fisher and Sir Thomas More when in the Tower, June 14, 1535. St. Pap., i. 431.

[9] Fuller's Ch. History, ii. 214, ed. 1837.

Instruments on which they acted

These commissioners went to their work armed with the most complete authority, although they themselves continued in the most servile dependence upon Cromwell. They were furnished with (1) a set of eighty-six Articles of Enquiry, (2) with twenty-five Injunctions to which they had authority to add without limit in any cases in which they thought fit to do so; and (3) for fear the bishops should interfere with them, all episcopal authority was suspended during their visitation by an inhibition which was issued by Cranmer, under the King's command, at the outset of their expedition.[1] Both the Articles of Enquiry and the Injunctions were of a vexatious character, and it is evident from the revelations of the commissioners themselves that they were intended to bear so hardly upon the inmates of the religious houses as to compel them immediately or eventually to resign and depart quietly, or to be expelled as contumacious and incapable of reformation.[2] "Sir," says Ap Rice, writing to Cromwell, "although I reckon it well done if all were out, yet I think it were best that at their own instant suit they might be dismissed to avoid calumniation and envy. *And so compelling them to observe these injunctions, ye shall have them all to do so shortly.* And the people shall know it the better that it cometh upon their suit, if they be not straight discharged while we are here. For then the people would say that we

Episcopal jurisdiction suspended by Cranmer, Sept. 18, 1535

Voluntary expulsion encouraged

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[1] Collier, iv. 294, ed. 1852. The Inhibition itself, from Bp. Stokesley's Register, is in his Records, No. xxxi.

[2] The Articles of Enquiry and the Injunctions are printed in Wilkins' Concilia, iii. 786.

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went for no other cause about than to expel them, though the truth were contrary. For they judge all things of the effects that followeth, and not always of the truth."[3] But the visitors had other means also which do not appear upon the face of the Injunctions for making the lives of the monks intolerable under the royal yoke.

Visitors made it impossible to live in the monasteries

For the first thing they did was to take possession of all the most valuable goods of the monasteries and pack them off to London. "Please it your good Lordship to be advertised," writes Sir Piers Dutton to Cromwell, "Mr. Combes and Mr. Bolles, the King's commissioners within this county of Chester, were lately at Norton, within the same county, for the suppressing of the abbey there. *And when they had packed up such jewels and stuff as they had there*, and thought upon the morrow after to depart thence, the abbot gathered a great company together, to the number of two or three hundred persons, so that the said commissioners were in fear of their lives,"[4] and shutting themselves up in one of the towers of the abbey, sent for the knight to come and rescue them. "I have crosses of silver and gold," writes the filthy and execrable Layton, "some which I send you not now, because I have more that shall be delivered me this night by the prior of Maiden Bradley himself. To-morrow early in the morning I shall bring you the rest, when I have received all, and perchance I shall find something here. . . . At Bruton and Glastonbury there is nothing notable; the brethren be so strait kept that they cannot offend, but fain they would if they might, as they confess, and so the

Taking away all valuable property

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[3] Ellis' Orig. Letters, III. iii. 119.

[4] Ibid., p. 42.

fault is not in them."[5] To desolate the houses and churches of the monks and nuns by such plunder seems to have been the first care of the commissioners; and what goods were thus obtained went straightway to the King without any process of law whatever, and simply by the authority of irresistible tyranny. By such plunder of all valuable things that could be taken away, and by tying up the hands of the monks as to control over what remained, some houses, and perhaps not a few, were unable to provide means for sustaining existence; and not only their alms and hospitality were obliged to be discontinued, but they themselves were brought to the verge of starvation.[6]

Tying up what else was left

Starving out the monks

Another means by which the monks were *starved* out of their houses, was by the strictest enforcement, in its most rigid sense, of one of the Injunctions,—"That no monk, or brother of this monastery, by any means go forth of the precinct of the same;" a "*porter specially appointed*" being placed at the only entrance allowed to secure the efficiency of the imprisonment thus enjoined. This was called "enclosing" the monks; and the circumstances of the seclusion seem to have been so severely felt that many gave way, unable to endure the hardships which it entailed. If any one of the monks thus virtually imprisoned ventured outside the walls of the monastery, Fuller says they were not allowed to enter the gateway again, the "porter specially appointed" having instructions to exclude them altogether from their houses.

Thinning their numbers

At the same time their numbers were vigorously thinned by an injunction, which ordered that no man was to be suffered to profess, or to wear the habit of religion, unless he were twenty-four years of age.[7] As early as November 18, 1535, doubts had begun to arise as to the proper application of this injunction; and disputes arose at the visitation of Christ Church, Canterbury, which led Archbishop Cranmer to write to Cromwell for the purpose of ascertaining its real meaning. From this it appears that the visitors were sending away all monks under twenty-four years of age, even though they had not professed until after twenty, and also that the money given to them was limited to their travelling expenses, all money sent them by their friends being taken away. This shows that the visitors were anxious to thin the number of the monks; and it is not extravagant to suppose (especially as there is no trace of an answer to Cranmer's appeal) that they had secret instructions to do so. But they went even further than this, for one of the visitors, Ap Rice, wrote to Cromwell respecting Dr. Legh, that "he setteth a clause in his injunctions that all they that will, of what age soever they be, may go abroad, which I heard not of your instructions."[8] And though Ap Rice had suddenly become scrupulous, because he had a quarrel with Legh, in which he was trying to secure Cromwell on his own side, there

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[5] Supp. of Monast., Camd. Soc., p. 59.

[6] Ibid., p. 67.

by a strained interpretation of the injunctions

and sending all away who could be made to go

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[7] This Injunction is thus given by Archbishop Cranmer. "Item, quod nullus deinceps permittatur profiteri regularem observantiam, aut vestem suscipere religionis per confratres hujus domus gestari solitam, nisi vicesimum suæ ætatis annum compleverit. Et si qui jam sub vicesimo anno completo in veste hujusmodi infra hanc domum jam inducti sunt, et si qui alii sub vicesimo quarto anno existentes discedere veluit, illam quam primum se exuant. Et magister hujus domus suo sumptu vestibus secularibus et honestis ad præsens ornet, et ad amicos suos chariores cum viaticis competentibus transmittendos curet." Jenkyns' Cranmer, i. 156.

[8] Ellis' Orig. Letters, III. ii. 358.

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can be no doubt this was the course taken by the visitors in general, Stow recording that they "put forth all religious persons that would go, *and* all that were under the age of twenty-and-four years;" the abbot or prior being required to give each monk so driven out "a priest's gown, and forty shillings of money; the nuns to have such apparel as secular women wear, and to go where they will."

Thus many monasteries broken up at once

The effect, perhaps it would be more correct to say the instant effect, therefore, of the visitation was to thin the monasteries of their inmates, to place those who remained in them under a yoke of unbearable tyranny, hardship, and espionage, and to confiscate all the most valuable part of the property belonging to their establishments. The case was so hard that some monasteries gave way altogether, and there is reason to think[9] that only 123 of those which had been doomed for confiscation were able to hold out until the Act of Suppression rendered any further holding out impossible.

Visitation a *pro formâ* one

The commissioners had entered on what (if it had been properly conducted) ought to have been a labour of many months, in the autumn of 1535. But they seem to have finished their labours in fewer weeks than they ought to have spent months upon them: so that it is clear the visitation itself must have been a mere *pro formâ* business, the packing up and conveyance of the plate, jewels and other valuables (which they abstracted solely under authority of the King's command) being the work that occupied their time. Meanwhile a bill was preparing which was to legalize these acts of plunder, and to complete the suppression of those monasteries which could be brought to the ground without danger.

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[9] From a paper printed by Stevens in his History of Monasteries, ii. App. 17.

A.D. 1535-6

Act of Dissolution

This first Act of Dissolution [27 Hen. VIII. cap. 28] was passed about the end of February 1535–6, some four or five months from the time at which the important inquiry into the condition of the monastic institutions was begun. In what manner, and by what channel it found its way into Parliament, is not on record, but of course it was a "Government bill," and bills of this kind were sometimes initiated, or forwarded a stage, by very significant impulses. Which among the "faithful Commons" could hesitate as to his vote when "the King's Grace came in among the burgesses of Parliament, and delivered them a bill and bade them look upon it, and weigh it in conscience," departing out of the House of Commons with a promise that he would be there again on the following Wednesday to hear their minds! Whether or not this was so presented, the King afterwards spoke to them of it as "my bill," and it bears strong marks of royal authorship. It is entitled "an Act whereby religious houses of monks, canons, and nuns, which may dispend manors, lands, tenements, and hereditaments above the clear value of two hundred pounds, are given to the King's highness, his heirs, and successors for ever."

The King's visits to the House of Commons

Statements of the preamble

In the preamble of this Act, it is first stated that "manifest sin, vicious, carnal, and abominable living is daily used and committed commonly" in religious houses whose inmates do not exceed twelve in number, "whereby" the heads of those houses spoil, destroy, and waste their churches, monasteries, lands, and other possessions, as well as the "ornaments of their churches," to the high displeasure of God, and to the great infamy of the King's highness and the realm. Thus two important charges are at the outset made against a certain class of monasteries, those in which the number of persons was less than twelve. The allegation is, of course, so far as the number is concerned, ridiculous; as, if there had been a plague of immorality and wickedness pervading monastic houses to so great an extent, it would not have been limited to the "hard and fast line" of those whose inmates amounted to one dozen only.[1] The statement of the preamble is, therefore, to this extent weakened in its force as a probably truthful accusation, though even this absurdity may not be inconsistent with the truthfulness of other portions. But it is further weakened by the charge that the heads of these monasteries containing twelve persons or fewer wasted the "*ornaments*" as well as the other possessions of their churches and monasteries. It is indisputable that the visitors dispossessed them of these, laying their hands upon all the gold and silver plate that they could find, and also on all "relics" which were adorned with the precious metals or precious stones. This accusation seems to have no other object than to cover the fact that the disappearance of such "ornaments" from the monasteries and churches arose from their appropriation by the King. The visitors "hadde packed up such joells & stuffe as the monks had," the "crosses of silver & golde," of which Layton wrote "I shall bring you the reste, whan I have *recevide all*," and the

Absurdity of some of them

Untruth of others

Seem inserted to disguise acts of plunder

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[1] The number *twelve* was really suggested by the Bull of 1528, which empowered Wolsey and Campeggio to suppress any houses under that number, and transfer the monks or nuns to the larger monasteries; the dissolved houses being to be used for endowing new bishoprics, &c. See page 90.

King's privy purse ultimately received them: but the Act of Parliament, at the King's bidding, stated that they had been "wasted" by the monks.

Allegation as to many previous visitations

It is then further stated in this preamble that there had been "many continual visitations" of the monasteries during the preceding two hundred years; but from the extreme difficulty which Wolsey (with all his unprecedented power) found in obtaining authority to visit them, this must be a great exaggeration, except so far as it may be meant to apply to the few cases in which archbishops and bishops could visit without special license from Rome. The allegation was plainly introduced for the sake of the following assertion:—that "without such small houses be utterly suppressed, and the religious persons therein committed to great and honourable monasteries of this realm, where they may be compelled to live religiously, for reformation of their lives, there shall else be no redress nor reformation in this behalf." This professed desire to reform the inmates of these houses was shown in practice, not by thus transferring them to larger monasteries, but by giving them each forty shillings and a layman's or priest's gown, out of the plunder of their houses, and then sending them about their business. This provision of the Act was copied from the papal bull of 1528, and there can be no doubt whatever that it originated with Wolsey; but the intention of its original framer was not carried out by the King and Parliament who adopted his words; and the monks ejected from the lesser monasteries were mostly sent into the world, and sent there with forty shillings, a little fortune on which to begin life again. Yet this portion of the preamble is reiterated a few lines

Professed desire to reform the monks

but no attempt whatever made to do so

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further on in the Act, in the words, "considering also that divers and great solemn monasteries of this realm, wherein (thanks be to God) religion is right well kept and observed, be destitute of such full number of religious persons, as they ought and may keep;" which words could hardly be inserted for any other purpose than that of conciliating the parliamentary representatives of the great solemn monasteries, whose opposition to the suppression of the "little and small abbeys" would be very troublesome, and *might* be thus prevented.

Untruthfulness of the Act

Respecting this preamble, it is to be observed (1) that there are some manifest falsehoods in its allegations; (2) that there is gross absurdity in its statement that the monasteries containing only twelve inmates[2] were past reformation, while those containing more than twelve were respectable; and (3) that no attempt was made at the reformation which is said to be impossible, the Act being *passed* within six months of the time when the inquiry on which it was founded had been commenced. During that six months many of the monasteries had been extinguished instead of an attempt being made to reform them. The injunctions respecting reformation were, indeed, given to the remainder, but no further inquiry was made as to whether or not those injunctions had been observed. It is worth noting these circumstances in case any future historian should revive the allegation that the King and his ministers were conspicuous for their *honesty* in all the transactions connected with the dissolution. Honesty is just the virtue of all others which is most certainly proved to have been wanting in them.

and of its contrivers

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[2] It is observable that this limit is ignored in the enacting clauses.

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Of the enacting clauses, which go into great detail, only two or three particulars require to be noticed.

(1.) In the first place all monasteries, priories, &c., which have not an income exceeding two hundred pounds a year are given to the King and his heirs, because it is "much more to the pleasure of Almighty God, and for the honour of this his realm," that their revenues "*should be used and committed to better uses*," and the "unthrifty religious persons" made to reform their lives.

(2.) The possessions of every kind which belonged to these monasteries were invested in the King "in *as large and ample manner as the abbots, priors,* abbesses, prioresses, and other governors of such monasteries. priories, and other religious houses, *now have, or ought to have, the same in the right of their houses*;" not as in their own right, for their own use, but *as trustees.*

(3.) The Act is an *ex post facto* piece of legislation, giving to the King all monasteries that had been handed over to him during the year preceding by the resignation of their inmates, or *that have otherwise been suppressed or dissolved.*

(4.) All sites, tithes, or monastic goods which had been given away by the King were confirmed to those on whom he had already bestowed them.

(5.) It was enacted that the King should have and enjoy the actual and real possession of all the dissolved monasteries for a particular object, "so that his Highness may lawfully give, grant, and dispose them, or any of them, at his will and pleasure, *to the honour of God and the wealth of this realm.*" No doubt there is a certain vagueness about this expression, but it can scarcely be considered as honestly

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consistent with the reckless manner in which the possessions of the monasteries were afterwards, and had been already, squandered on secular and evil objects.

(6.) It was further enacted that the King should provide occupation and pensions for those monks who were not transferred to the greater houses: and that on the site of every dissolved monastery or priory a mansion should be erected where liberal hospitality should be observed, as in the religious foundations which they had superseded.

Some of the Commons oppose it

But although the tone of this Act was very far above the infamous transactions which it sheltered, and although it bears clear evidence of being concocted under royal superintendence, some vigorous opposition to it was offered by members of the House of Commons, and it was only passed after the King had thrown some of his usual threats at their heads. "When the bill," says Sir Henry Spelman, "had stuck long in the Lower House, and could get no passage, he commanded the Commons to attend him in the forenoon in his gallery, where he let them wait till late in the afternoon, and then coming out of his chamber, walking a turn or two amongst them, and looking angrily on them, first on the one side and then on the other, at last—'I hear,' saith he, 'that MY Bill will not pass; but I will have it pass, or I will have some of your heads:' and without other rhetoric or persuasion returned to his chamber. Enough was said, the bill passed, and all was given him as he desired."[3]

Their heads threatened by the King

The first words of the Act state that the administration of monastic property by the monks was "to the high displeasure of Almighty God, slander of

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[3] Spelman's Hist. of Sacrilege, p. 206, ed. 1853.

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good religion, and to the great infamy of the King's highness and the realm." It may safely be alleged that the case was not improved, however bad it might be, by the operation of the Act itself. But some evidence as to the new uses which were made of monastic property will be found at a subsequent page.[4] It is enough to say here that 376 religious houses were ruined and despoiled, and that no portion of their property returned to the Church. Lord Herbert and other historians estimate the annual revenue of this first spoliation at £30,000, and the ready money value of the "jewels and stuff" which the visitors "packed up" and sent to Cromwell, at £100,000. These sums represent quite a quarter of a million, and a million, of modern money, and there are good reasons for thinking that they are much below the real value of the property confiscated.[5]

Spoils of the small monasteries

Attack prepared for remaining monasteries

But the spoils were not likely to last long when the expense of the King and his court was so enormously prodigal: and the first Act of Suppression was no sooner passed than Cromwell and his master prepared for a new campaign. Even while the bill was passing through Parliament, the voice of the destructive party was heard boldly declaring that the measure was only a beginning. "Even at that time one said in the Parliament House," says Grafton in his Chronicle," that these were as thorns, but the great abbots were putrified old oaks, and they must needs follow. 'And so will other do in Christendom,' quoth Doctor Stokesley, Bishop of London, 'or many years be passed.'"

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[4] No importance attaches to the fact that some of the monasteries resigned into his hands were "refounded" by Henry. The "refoundation" or non-dissolution only amounted to a reprieve of a few months.

[5] The Court of Augmentations was established for the purpose of receiving and managing the funds of the dissolved monasteries. As it consisted of twenty-four officers, including ten auditors and seventeen receivers, it must have been provided with a view to the subsequent dissolution of the greater monasteries.

Steady [illegible] position

Cromwell seems not to have hesitated for a moment in the career of spoliation on which he had entered; for a letter has come down to us which is a reply to one he had written on the 8th of March 1535-6 (about the very time when the act was receiving the royal assent), in which he demanded the resignation of one of these "putrified old oaks," John Shepey or Castleoak, the Abbot of Faversham in Kent. This letter gives us some light respecting the transactions which were then going on between the crown and the monasteries, and is well worth perusal.

The Abbot of Faversham's defence

"Right worshipful Sir, after humble recommendations according to my most bounden duty, with like thanks for your benevolent mind always shewed towards me and my poor house to your goodness had and used; it may please you to be advertised, that I lately received your loving letters dated the viiith day of this present month concerning a resignation to be had of the poor house which I under God and the King's highness my sovereign lord of long time (though unworthy such a cure) have had ministration and rule of, and that by cause of the age and debility which are reported to be in me. So it is right worshipfull sir, I trust I am not yet now so far enfeebled or decayed, neither in body nor in remembrance, either by any extremity of age whom debility lightly for the most part always accompanies either by any immoderate passion of any great continual infirmity, but that I may as well (high thanks be unto God thereof!) accommodate myself to the good order, rule, and governance of my poor house and monastery as ever I might since my first promotion to the same,

Old as he is can still rule his house

though I may not so well percase ride and journey abroad as I might have done in time past. But admit the peculiar office of an abbot to consist, as I must needs refell for we profess a rule much diverse thereunto, in journeying forth and surveying of the possessions of his house, in which case agility and patience of labour in journeying were much required indeed, though I myself be not so well able to take pains therein as I have been in my young years, at which time I trust I took such pains that I need less surveying of the same at this present time, yet have I such faithful approved servants whom I have brought up in my poor house from their tender years, and those of such wit and good discretion joined with the long experience of the trade of such worldly things, that they are able to furnish and supply those parts, I know right well, in all points much better, than ever I myself could or than it had been expedient or decent for me to have done. Again, on that other side, if the chief office and profession of an abbot be (as I have ever taken it) to live chaste and solitarily, to be separate from the intermeddling of worldly things, to serve God quietly, to distribute his faculties in refreshing of poor indigent persons, to have a vigilant eye to the good order and rule of his house and the flock to him commited in God, I trust your favour and benevolence obtained (whereof I right humbly require you), I myself may and am as well able yet now to supply and continue those parts as ever I was in all my life, as concerning the sufficiency of my own person. Yet doubtless much more ease and quiet might it be unto me as ye in your said letters right friendly and vehemently have persuaded, for to make resignation of my said office upon the provision of such a reasonable pension as your good mastership should think meet and convenient, wherein surely I would nothing doubt your worship and conscience, but in the same have much affiance, not only for the great goodness and good indifference which I hear everywhere commonly reported by you, but also for the great favour and benevolence which I have always found in you. And percase in my own mind I could right well be contented and fully persuaded for as much as concerneth my own part so to do, for the satisfaction and contentation of your loving motion, for I am nothing less than

According to the true duties of an abbot

Would gladly be free as far as personal ease goes ambitious; but I do more esteem in this thing the miserable state and condition that our poor house should stand in, if such thing should come to pass, than I do my own private office and dignity, the administration whereof though it be somewhat more painful unto me than it hath been accustomed heretofore, yet God forbid that it should seem unto me hirkefull or tedious. Moreover I (pray) your good mastership, to whom I would all these things were as openly and manifestly known as to myself, our said poor house and monastery by meane and occasion of diverse and many importable costs and charges which we have sustained as well towards the King's highness as otherwise; partly by reason of divers great sums of money which it was left indebted in, in the time of my last predecessor there (which as it is well known in the country was but a right slender husband to the house): partly by means of divers and many great reparations, as well of the edifices of our church as of other houssing, which were suffered to fall in great ruin and decay, insomuch that some of them were in manner likely to fall clean down to the ground, as in the innyng of divers marshes belonging to our said monastery which the violent rages and surges of the implacable sea had won and occupied, being now since my time well and sufficiently repaired and fully amended, as the thing itself may sufficiently declare, to the inestimable cost and charges of our poor house: partly again by the means of the great cost, charges, and expenses, which we have had and sustained by and through the occasion of divers and many sundry suits and actions which we have been compelled to use and pursue against divers of our tenants for the recovery of divers rights of our said monastery of long time unjustly detained and by the same tenants obstinately denied; and partly also by mean of divers and many great sums of money which we have paid and lent unto the King's highness, as well in dysmes and subsidies as otherwise amounting in all to the sum of ii m. li. and above to our great impoverishing, and is yet now at this present time indebted to divers of our friends and creditors above the sum of cccc li. as ye shall be further instructed of the particulars thereof whensoever it shall please you to demand a further and more exact declar-

But the Abbey impoverished by taxes

repairs and reclaiming marshes

by £2000 "lent" to the King

ation therein. Which sums if it might please Almighty God that I might live and with your good favour continue in my said office by the space of six or seven years at the furthest, I doubt not but I should see them well repaid and contented again. But if I should now at this present time resign my said office (the case standing as it doth) undoubtedly our poor house, being now so far indebted already by means of the occasions before remembered (the important charges of the first fruits and tenth which would be due unto the King's highness now immediately upon the same resignation had thereunto added and accumulate), should be clearly impoverished and utterly decayed and undone for ever in my mind, which I am right well assured your goodness would ne coveteth not to bring to pass. And therefore Christ forbid that ever I should so heinously offend and commit against Almighty God and the King's highness and sovereign lord, that by my mean or consent, so godly and ancient a foundation built and dedicated in the honour of Saint Saviour of so noble and victorious a prince and one of the King's most noble progenitors, whose very body, together with the bodies of his dear and well-beloved queen and also the prince his son there lieth buried in honourable sepulture, and are had all three in perpetual memory with continual suffrages and commendations of prayers, should be utterly and irrecuperably decayed and undone, as it must needs of very necessity follow if any such resignation should now be had. Wherefore the whole premysses tenderly considered and deliberately perpended, right worshipfull sir, I doubt not but ye will continue your accustomed favour and benevolence which ye have always borne towards our poor monastery, and so doing ye shall not only please and content Almighty God our Saviour, but also bynde us to be your continual bedemen and pray to God during our lives for the prosperous estate of your good mastership long to endure with much increase of honour. Dated at our poor monastery aforesaid the xvjth day of this present month of March anno Domini 1535.

And he would like to see it out of its difficulties

Claims of Abbey on the King

"By your bedeman and daily oratour,
"John, Abbot of Faversham."[6]

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[6] Supp of Monast., Camd. Soc., p. 103.

A.D. 1535-6

Impoverished as their houses had been by the extortion of the King, and hardly as they were pressed by the persecuting course which had lately been taken, there were doubtless many like this steadfast old Abbot of Faversham, who were determined to stand firm to the end, and not to give way before anything less than compulsory legislation. When the crash came at last this good old man was driven out of the monastery which he had ruled for forty years, and in which he had most likely spent the whole of his adult life.

[illegible] driven out

But Cromwell and the King had other methods of worrying the monks and nuns of the greater houses into resignation, and some of these have been obscurely recorded in the traditions even of a Puritan age. The vexatious Injunctions were strictly imposed on all monasteries without exception by the visitors, who indeed were so rapid in their movements that they could have had little time for more than packing up plate and jewels, and leaving these Injunctions behind them. But the visitors, says Fuller,—

Spies sent to the larger monasteries

> "Were succeeded with a second sort of public agents, but working in a more private way, encouraging the members in monasteries to impeach one another: for seeing there was seldom such general agreement in any great convent, but that factions were found, and parties did appear therein, these emissaries made an advantageous use thereof. No abbey could have been so soon destroyed, but by cunning setting it against itself, and secret fomenting of their own divisions. Whereupon, many, being accused, did recriminate their accusers; and hopeless to recover their own innocency, pleased themselves by plunging others in the like guiltiness. Others, being conscious to themselves, prevented accusing by confessing their faults, and those very foul ones. Insomuch that some have so much charity as to conceive that they made

Self-accusations provoked

CHAP VI
A.D. 1536

themselves worse than they were, though it was a needless work for a Black-Moor to besoot his own face. Yea, some hold that as witches, long tortured with watching and fasting, and pinched when but ready to nod, are contented causelessly to accuse themselves to be eased of the present pain; so some of those poor souls, frighted with menaces, and fearing what might be the success, acknowledged all, and more than all, against themselves: the truth whereof none on earth can decide."[7]

Strife and ill-feeling stirred up by these measures

How successful the secret agents were in stirring up internal disorganization, in kindling animosities, in exaggerating grievances, and generally setting brother against brother, is shown by some of the letters written to Cromwell by discontented monks. The informers mostly betray themselves as men who are making accusations in the hope of reward: and the accusations themselves are of a kind which does not carry conviction of their truth, reminding the reader of documents strangely common in those days, such documents as the confessedly false indictments drawn up against Wolsey. Men seem to have felt that they ran a risk like that of the Spartan legislators, that if they failed the rope was already round their necks ready for use, and that they must provide against failure by heaping charge upon charge in the hope that some, at least, would be incapable of positive disproof. It is melancholy to think that human nature is capable of such treachery and untruth, and it adds to our sadness to find it among those whose duty and special call it was to live in a loving and peaceful brotherhood. But weak and treacherous inventors of scandal are to be found at all times; and they were to be found among the monks of the sixteenth century, as they were found among the laity of the same period, and of our own.[8]

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[7] Fuller's Ch. Hist., ii. 215, ed. 1837.

Wicked temptations offered to the nuns

Another still more serious charge against Cromwell and the King is that they had agents who went among nuns with the express purpose of seducing them, and thus giving ground for their expulsion from the nunneries. This charge is also recorded by Fuller in the following words :—

> "The papists do heavily complain (how justly God alone knoweth) that a third sort of agents were employed, to practise on the chastity of the nuns, so to surprise them into wantonness. Some young gallants were on design sent to some convents, with fair faces, flattering tongues, store of gold, and good clothes, youth, wit, wantonness, and what else might work on the weaker sex. These having with much craft screwed themselves into the affections of nuns, and brought them to their lure, accused them afterwards to the king's commissioners for their incontinence: a damnable act, if true. . . . But still the papists go further, complaining of false returns, that many of these inveiglers of nuns met with impregnable pieces of chastity, neither to be battered by force, nor undermined by fraud, who despairing to lie with their bodies, did lie on their reputations, making their fames to suffer in those false reports which they returned to the king's commissioners.

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[8] Among such "approvers" may be mentioned the Abbot of Warden, [Suppn. of Mon., p. 53], Richard Zouche [Id. 51], Richard Beerley, monk of Pershore [Id. 133], and a monk of Wigmore, whose articles of indictment against his abbot are printed by Mr. Froude in "Short Studies of Great Subjects," vol. ii. p. 78. With his usual amusing haste Mr. Froude settles one article of this indictment in his own way by saying that the abbot had stolen jewels from his own convent to buy a faculty for conferring holy orders, "*though he had never been consecrated bishop*" [p. 85]. If the abbot did steal the jewels it was very wicked of him to do so, but it is possible that this part of Mr. Froude's charge against him is as weak as that of conferring holy orders without being a bishop; for John Smart, the abbot in question, was Bishop of Pavada (in partibus), acting as suffragan to the Bishops of Hereford and Worcester, between the years 1526 and 1535, *i.e.* for ten years before the accusation was made; and perfectly entitled to confer orders.

And the following story is, I assure you, traditioned with very much credit amongst our English Catholics:—

"Two young gentlemen, whose names for just cause I forbear, went to a nunnery within twelve miles of Cambridge, in the nature of travellers on the highway; who being handsomely habited, and late at night, were admitted into some out-lodgings of that nunnery. Next day their civil addresses to the abbess were received with such entertainment as became the laws of hospitality. Afterwards producing or pretending a commission to visit their convent, they abode there certain days; and how bad soever they were, met with no counterpart to embrace their wanton proffers. However, at the return they gave it out, that nothing but their weariness bounded their wantonness, and that they enjoyed those nuns at their own command.

"One of the aforesaid gentlemen, with great grief and remorse of heart, did in private confess the same to Sir William Stanley, knight, afterwards employed in the Low Countries; avowing that nothing in all his life lay more heavy on his conscience than this false accusation of those innocents: and the said Sir William told this passage to a noble Catholic still alive."[9]

This account far from improbable

This story has been discredited, chiefly because it rests on the authority of "Papists" and "Catholics;" and Fuller himself adds that if this was the Sir William Stanley who gave up the city of Daventer to the Spaniards, its credit may be justly suspected, as "one so faithless in his deeds may be presumed false in his words." But the story has too much *vraisemblance* to be set aside in this curt manner: and in addition to this, the tone of Layton's letters to Cromwell are of such a kind as to make one fear that some nuns were indeed thus wickedly seduced, and others not less wickedly accused falsely. Those, however, who duly appreciate the character of their countrywomen, will also believe that among these evil-intreated "innocents," there were not a few who passed through the scorching fire of temptation scatheless under the protection of their Heavenly Bridegroom ; for the English daughters of the nineteenth century whom we see around us are sisters to the English nuns of the sixteenth of whom we know only by vague tradition.

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[9] Fuller's Church Hist., ii. 216, ed. 1837.

Pulpits tuned against monasteries

Laity bribed with large shares of spoil

It was a great object with the King and Cromwell to obtain *voluntary* surrenders of the monasteries (or surrenders which should appear to be voluntary) from those in whom they were vested : and also to gain over the secular clergy and the laity to an approval of such surrenders. The great Reformation weapon of "pulpit-tuning" was efficiently used by Cromwell for securing the lower ranks of the laity, the preachers who were sent about the country to assert the royal supremacy constantly representing the monks as disloyal to the crown and useless to the people at large : and just as "leading newspapers" can convince large numbers in the present day even against the evidence of their reason and almost of their senses, so the preachers moulded public opinion pretty much to any form that they would when they preached hard enough. For the higher ranks of the laity there was the temptation of sharing in the confiscated lands, a temptation which had astonishing influence upon them,[1] and which became all the stronger when the appetite of the courtiers had been whetted by gifts from the lands of the lesser monasteries. The secular clergy were promised a general restoration to their hands of the rectorial tithes which had been "appropriated" by the monastic houses ; although, in the end, most of these monastic "appropriations" were turned into lay "impropriations," and

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[1] Dugdale's History of Warwickshire, p. 802.

Pensions, &c. promised to monks

the secular clergy gained nothing whatever. As for the monasteries themselves, Cromwell had promises to offer them also, immunity from dissolution for those who were unwilling to be dissolved, and large pensions or preferments for those who would surrender willingly.[2]

Little power left to resist

When such measures were taken, and when, as Bishop Burnet says, "all the abbots were now placed by the King, and were generally picked out to serve his turn," it is not to be supposed that any very strong power of resistance remained in the monasteries which were left standing after the first suppression. The clean sweep which had been made of so many ancient rights, did, in fact, throw the clergy and the monks into an utter panic; and the great body of the latter, especially, were ready to go down like unarmed peasantry before a troop of Cossacks. There are periods when stupendous changes

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[2] "After my hearty commendations. Albeit I doubt not, but having long since received the King's Highness' letters wherein his Majesty signified unto you that using yourselves like his good and faithful subjects, his Grace would not in any wise interrupt you in your state and kind of living: and that his pleasure was, in case any man should declare anything to the contrary, you should cause him to be apprehended and kept in sure custody till further knowledge of his Grace's pleasure; you would so firmly repose yourselves in the tenor of his said letters as now his words; nor any voluntary surrender made by any governor and company of any religious house since that time shall put you in any doubt or fear of suppression or change of your kind of life and policy. Yet his most excellent Majesty knowing as well that on the one side fear may enter upon a contrary appearance where the ground and original is not known, as on the other side, that in such cases there cannot want some malicious and cankered hearts that upon a voluntary and frank surrender would persuade and blow abroad a general and a violent suppression; to the intent you should safely adhere to the sense of the said letters by his Highness already addressed unto you, and like good subjects ensue the purport of the same in the apprehension and detention of all such persons that had brought or would instil the contrary: whereas certain governors and companies of few religious houses have lately made free and voluntary surrenders into his Grace's hands: hath commanded me for your reposes,

A.D. 1536

Most [illegible] with [illegible] stupor

rush onward in their course with whirlwind rapidity, and enervate the mind with amazement as a sirocco prostrates the body. So were the old ecclesiastical establishments of England prostrated with amazement in the time of Cromwell's odious vicegerency, and perfectly unable to offer an effective resistance, whether for evil or for good.

Notwithstanding this general prostration, there were, however, some energetic attempts to stop the progress of destruction, and Cromwell was not without good reason for the caution with which he prepared the country for a second great spoliation. For several months, the northern counties of England were in a chronic state of rebellion, and very serious danger to the King and his government ensued.

Rebellion in the north

The movement, eventually called the "Pilgrimage of Grace," began at Louth in Lincolnshire, on Mon-

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quiets, and for the causes specified on his Grace's behalf to advertise you, that unless there had been overtures made by the said houses that have resigned, his Grace would never have received the same; and that his Majesty intendeth not in any wise to trouble you, or to devise for the suppression of any religous house that standeth; except they shall either desire of themselves with one whole consent to resign or forsake the same or else misuse themselves contrary to their allegiance. In which case they shall deserve the loss of much more than their houses and possessions; that is, the loss also of their lives. Wherefore in this you may repose yourselves, giving yourselves to serve God devoutly, to live like true and faithful subjects to his Majesty, and to provide honestly for the sustentation of your houses, and the relieving of poor people with the hospitality of the same; without consumption and wilful waste and spoil of things, which hath been lately made in many abbeys; as though the governors of them minded only their dissolution; you may be sure that you shall not be impeached by his Majesty; but that his Grace will be your shield or defence against all other that would minister unto you any injury or displeasure. And if any man, of what degree soever he be, shall pronounce any thing to the contrary hereof, fail you not, either to apprehend him, if you shall be able, or if he be such a personage that you shall not dare to meddle with, to write to his Majesty's Highness their name or names; and report that he or they, so rude behaving themselves, may be punished for the same as shall appertain." Strype's Ecc. Mem., vol. i. pt. ii. 214.

It begins at Louth

but fails for want of a leader

day, October 2, 1536, and arose directly out of the visitation which had again been ordered by Cromwell as vicegerent of the King in ecclesiastical matters. One of the commissioners was expected at Louth on the above day, and preparations were made which show plainly what the object of his visit was known to be. On the evening before his arrival, after the Sunday services were over, the silver processional cross belonging to their noble church was carried on to the town green, and there used as a rallying standard for those town's-people who were prepared to resist his authority. They collected in force, and returning to the church gathered all its riches—chalices, vestments, jewels—into the nave, where an armed guard was set over them until daybreak. When the commissioner appeared early in the morning he was received with the ringing of the alarm bell, and this was the first note of a religious rebellion which well-nigh thrust Henry VIII. from his throne. This first rising failed, indeed, for want of a leader, but Sir William Fitzwilliam, who was sent to report respecting it, wrote home to Cromwell that in every place from London to Lincoln all the people, old and young alike, were heard wishing God-speed to the rebellion in Lincolnshire, while not a voice among the common people was heard on the other side. Without a leader all the zeal in the world could not, however, prevent disintegration; and when the Duke of Suffolk arrived with his troops he found that the rebellion had worn itself to pieces in a fortnight, so that there was no force to oppose.

But the fire soon broke out again in Yorkshire, and this time a leader was found, though one too gentle and irresolute to ensure continued success. A country squire named Robert Aske, of Howdon in Yorkshire, was at the head of this rising, and he had around him many of the northern gentry, some zealous as himself, others only half-hearted; among whom were Lord Darcy, Lee, Archbishop of York, Lord Hussey, Sir Robert Constable, and Sir Christopher Danby. The objects of this outbreak were stated in a proclamation which was issued by Aske and his friends at the outset in the following terms:—

Aske's proclamation

> "Masters, all men to be ready to-morrow, and this night, and in the morning to ring your bells in every town, and to assemble yourselves upon Skipwith moor, and there appoint your captains, Master Hussey, Master Babthorp, and Master Gascoygn, and other gentlemen: and to give warning to all beyond the water to be ready, upon pain of death, for the commonwealth; and make your proclamation every man to be true to the King's issue and the noble blood; to preserve the Church of God from spoiling, and to be true to the Commons and the wealths. And ye shall have to-morrow the articles and causes of your assembly and petition to the King, and place of our meeting, and all other of power and common wealth. In haste, &c."

Demands of the rebels

Almost all Yorkshire, Lancashire, and the bishopric of Durham, gathered round Aske at this call, and he began his march southward, headed by some of the monks bearing, as banner of the "Pilgrimage of Grace," a standard marked with the five wounds of Christ. The demands made were, as before, for the restoration of the dissolved monasteries, the remission of the heavy burdens imposed on the clergy, the repeal of the statute of uses, the expulsion from office of Cromwell, and "other villein blood," and the deprivation of Archbishop Cranmer, Archbishop Brown[3] (of Dublin), Hilsey, Bishop of Rochester, and Longland, Bishop of Lincoln. Those who were thus banded together had the badge of the five wounds on their sleeves; and declared themselves to be entering on their pilgrimage neither for slaughter nor profit, but for the restoration of the Church to its ancient position. Nor was it only the sight of the ruins by which they were already surrounded which provoked their resistance to the new visitation, for reports were rife about further changes; as for instance that no two churches were to be left standing within five miles of each other (a terrible prospect in a county so abounding in churches as Lincolnshire); that nothing more valuable than tin chalices were to be allowed them; and that the King was about to impose a tax of six and eightpence upon every wedding, burial, or christening.[4]

Provocations which led to the rebellion

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[3] This Archbishop carried his arrogance to such an extent that the King himself wrote a letter of severe rebuke to him on July 31, 1537, threatening to remove him from his office if he did not conduct himself better. [State Papers, ii. 480.] His clergy refused to preach at all rather than preach up the Royal Supremacy as ordered [Ibid., 539]: but as Lord Butler wrote a despatch highly commending Archbishop Brown on March 31, 1538 [Ibid., 564], he may have mended his manners and become more gentle with them.

[4] State Papers, i. 482. There is a ring of probability about these reports, considering what devastations really took place, what extortions were made, and how many "tinnen pottes" replaced the silver and gold chalices in later years. The latter one was probably connected with some injunction respecting parish registers; for on April 20, 1539, Sir Piers Edgcomb writes that there is dangerous discontent about these in Devonshire and Cornwall, and that the general imposition of them by Cromwell's Injunctions to the Clergy in 1538 was supposed to portend fresh taxation. [Ibid., 612.] Such a tax was actually levied by 6 & 7 William III. cap. 6, when an archbishop was obliged to pay a duty of £20 on his marriage, and £12, 10s. annually afterwards; while a similar tax of £50 was imposed on his burial, and £10 on the burial of his wife; other members of society paying in proportion. By 23 Geo. III. cap. 67, a stamp duty was also imposed upon the registration of baptisms, &c.

Parish Registers originated in the monasteries, and on the suppression of the latter it was necessary to issue injunctions for their maintenance by the clergy.

This experience of recent spoliations and prospect of others coming upon them was a strong stimulus to those who had not yet been convinced that splendid churches and hospitable abbeys were a disadvantage to the populations among which they were situated. Badly generalled as they were, some notable successes were achieved by the rebel forces; York and Hull, the two most important towns in Yorkshire, being occupied, while Scarborough and Skipton castles were besieged for some weeks, with good hope that they would ultimately be taken. Across the Humber they advanced as far south as Doncaster; and in the north-west of the great county, they passed beyond the Tees into Durham and Westmoreland. As far as circumstances would permit, they restored all the monasteries on their march; but the few monks who were free to return to them found nothing but empty ruins, the destruction of the roofs for the sake of the lead being always a principal object of the commissioners.[5]

Temporary success of the rebels

Sad attempt to restore the monasteries

The King collected his forces from the midland

All monasteries kept their obituary books, as did also the Colleges at Oxford and Cambridge. In these were entered the deaths of all connected with the house, and probably with its dependent churches. Actual parish registers existed in France as early as 1308, but it is uncertain to what extent or in what form. Cardinal Ximenes instituted them in Spain in 1497. The antiquarian Cole mentions an English parish register of Hornead Magna beginning in 1537, "thirty-seven years after their first institution in 1501, 16 Henry VII." [Cole's MSS., Br. Mus.]; and copies of entries as early as 1528 exist in registers of later date. Probably they gained ground very slowly, for besides Cromwell's order of September 1538, later ones were issued in 1547, 1555, 1557 and 1559. Forty registers contain entries earlier than 1538.

[5] "The lead by estimation is valued at m^{li}, the bells at iiij^{xx} viii^{li}." Supp. of Mon., Camd. Soc., 163. "I have taken down all the lead of Jervaulx, and made it in pieces of half fothers, which lead amounteth to the number of eighteen score and five fothers, with thirty and four fothers and a half that were there before." Ibid., 164.

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counties under the Earl of Shrewsbury, the lieutenant-general of the northern district; and with these, and other troops under the Earl of Derby, the Earls of Huntingdon and Rutland, and the Marquis of Exeter, endeavoured to strengthen the small army which the Duke of Suffolk had already marched into Lincolnshire to quell the first rising at Louth. But the rebel forces were so strong that it was thought expedient to treat with them by Lancaster Herald, who was sent to Aske at Pomfret Castle with a royal proclamation, requiring him and his followers to lay down their arms, and submit themselves to the King's mercy. Aske received the herald in the midst of a kind of court, the Archbishop of York standing on one hand and Lord Darcy on the other; and he at once and boldly refused to obey the proclamation, declaring that he and his people were "all of one accord with the points of our articles, clearly intending to see a reformation, or else to die in those causes." Lancaster Herald (who, poor man! was afterwards put to death at York for parleying with Aske) has left in writing a long account of this interview, and he states what the requirements of Aske and his followers were:—

The King treats with the rebels

Their determination

> "And then I demanded of him what his articles were. And he said one was that he and his company would go to London of pilgrimage to the King's highness, and there to have all vile blood of his Council put from him, and all noble blood set up again; and also the Faith of Christ and His laws to be kept, and full restitution of Christ's Church of all wrongs done unto it; and also the Commonalty to be used as they should be: and bade me trust to this, for it should be done, or he would die for it."[6]

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[6] State Papers, i. 486.

These "articles" were then put in writing, and sent to the King by the hands of the herald, the Duke of Norfolk going up to Court with the professed object of seconding the petition, but the real one of gaining time for the King's forces to be gathered.

Emptiness of the royal exchequer

And now it is well worthy of being remarked that notwithstanding the great spoils of which the King had possessed himself, he was absolutely without means of paying his soldiers. At first he wished Cromwell to provide money by following up the policy of his whole reign, and bade him "taste the fat priests." But the fat priests were growing very lean, and the danger already in hand through "tasting" them was too great to allow of his savage command being carried out. Then a warrant was actually issued for the sale of the crown plate out of the jewel-house in the Tower, the very last resource to which a poverty-struck monarch could be driven; Cromwell adding at the end of the warrant, "His Majesty appeareth to fear much this matter, especially if he should want money."

Suppression of rebellion

It was probably this want of money which made Henry agree to a general pardon of Aske and his companions, and to the holding of a parliament at York. Aske and Lord Darcy were then invited to court, the former by a letter from the King himself, written on December 15, 1536, and Lord Darcy by another epistle on January 6th.[7] Aske accepted the invitation, but Lord Darcy declined to risk such a visit: the former endeavouring, but quite ineffectually, to persuade the King to keep the promises which he had made. The people of the north

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[7] State Papers, i. 523.

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A.D. 1537

country finding themselves duped, again broke out into insurrection, but this time the forces of the King were better prepared, and the "Pilgrimage of Grace" was finally extinguished in the summer of 1537. The leaders of the former act of the Pilgrimage were now treated as if no pardon had been issued: Lord Darcy was beheaded on Tower Hill, Lord Hussey at Lincoln, and the brave Aske was hanged at York Castle. A heavy vengeance, of course, fell upon all the clergy and monks who had in any way compromised themselves in the rebellion, and the trees groaned with their ghastly burdens. Twelve abbots were hung, drawn, and quartered, and the Archbishop of York himself only escaped by pleading that he had acted under a compulsion which he was powerless to resist.[8]

Execution of the leaders

This vigorous attempt to resist any further spoliation of the monasteries having thus been so signally defeated, the visitors were able to go on their way

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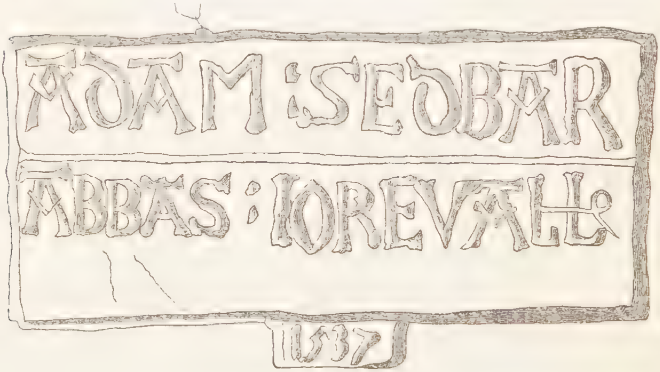
[8] Among these was the Abbot of Jervaulx, who was executed at Tyburn in June 1537. He has left his mark in the Beauchamp Tower in the Tower of London, where may be seen inscribed



once more, stimulated, no doubt, afresh by the exhausted condition of the royal treasury.

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Visitation of large houses

They appear to have acted under their former commission, and it must be remembered that no powers were added to it by the act which had legalized the suppression of the smaller monasteries. Short as the time had been—for it was only about eighteen months since the commissioners had begun to move—all those smaller monasteries were now institutions of the past, and nothing remained to witness to their former condition but a few broken walls and the roofless, unglazed churches on which the moss was already beginning to grow. A few more years and the broken walls had so multiplied, the moss so grown, that men began to persuade themselves picturesque decay was a better condition for churches than one of stability and beauty. But much was to be done yet before irreligion could gain this triumph. So the visitors went forth again, armed with moral and physical powers of destruction; their way being already smoothed by spies, tempters, treacherous hypocrites, and a blood-stricken panic.

No pretence, now, of reforming them

In their previous visitation of 1535–36, the commissioners had made a show of *reforming* the religious houses: but in the following years they seem to have nearly cast off even this thin veil of reforming intentions, and to have proceeded steadily onwards, taking possession at once of all they could lay their hands on, and where they could not immediately gain the resignation of a monastery or nunnery (for they had no *legal* power to suppress), setting a train which must be certain to end in the desired explosion at a future day.

The monks knew well what must come, and in the

Concealment of treasures by monks

called theft

general panic there were many endeavours to meet, and, if possible, to ward off the extreme violence of the anticipated storm. A few of the heads of the religious houses concealed their valuables in the hope of better times, but the visitors seldom failed to ferret out the hidden stores. Layton and Legh, for example, wrote to Cromwell respecting the Abbot of Fountains, "six days before our access to his monastery he committed theft and sacrilege, confessing the same. At midnight caused his chaplain to steal the sexton's keys, and took out a jewel, a cross of gold with stones. One Warren, a goldsmith of the Cheap, was with him at that hour, and there they stole out a great emerald with a ruby; the said Warren made the Abbot believe the ruby to be but a garnet, and so for that he paid nothing, for the emerald but twenty pounds. He sold him also their plate without weight or ounces."[9] It is evident the abbot was endeavouring to secure the property of the house: but he was deprived, and shortly afterwards executed, for complicity in Aske's rebellion, while the visitors recommend as his successor a monk of the house, who offered to give Cromwell six hundred marks directly after his appointment, and a thousand pounds to the King within three years by way of first-fruits.

Property conveyed to laymen by monks

Others, again, made over their lands and houses to laymen, in the hope of receiving them back from them when the storm had blown over; but the legal

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[9] Supp. Monast., Camd. Soc., p. 100. From a letter of Thomas Parry to Cromwell [Ellis' Orig. Letters, III. iii. 235] it appears that "one Bestyan, a jeweller, who as I heard say is in London in some family of the Strangers there," went about among the monasteries offering to buy their precious stones. From the above it would appear that this Bestyan was not the only shrewd diamond merchant who did this.

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subtleties by which such conveyance was effected could not stand in the face of an Act of Parliament, and all such bargains were annulled, unless made under the King's license, by the Act of Suppression of 1539: the Abbey of Sibton, sold to the Duke of Norfolk in 1536; and that of Cobham, sold to Lord Cobham, being the only exceptions allowed by the Act.

Bribery of Cromwell by monks and nuns to save their houses

But the character of Cromwell seems to have been well known to the head officers of the religious houses, and there was a general feeling that the last hope offered them was an appeal to his inordinate avarice. The Prior of Durham writes a grave letter to him, saying, that whereas the Monastery of St. Cuthbert had hitherto paid him an annuity of *five* pounds, he and his brethren would now increase it to *ten* pounds.[1] The Prioress of Catesby tells him, that if he can persuade the King to spare that house for the sake of two thousand marks, which she offered through the Queen, and at the same time to get her interest for the money (by way of stipend), he shall have a hundred marks to buy him a gelding, and the prayers of herself and her sisters.[2] Richard, Abbot of Leicester, was "informed it should be your pleasure that I should send forty pounds to your mastership. . . . The said forty pounds I have sent you by this bearer."[3] John, his successor, sends his "right honourable and most assured good lord" a brace of fat oxen, and a score of fat wethers.[4] He had accepted office subject to a yearly tax of two hundred and forty two pounds, and was a thousand pounds in debt, so this present of fat oxen and sheep was a

money, oxen, and sheep

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[1] Ellis' Orig. Letters, III. iii. 44.

[2] Ibid., 50.

[3] Ellis' Orig. Letters, III. ii. 313.

[4] Ibid., 320.

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liberal one. The Abbot of Michelney is importuned by Cromwell for forty pounds promised to him, and replies that he had already paid him a hundred pounds through a commissioner, Dr. Lee.[5] Poor Abbot Whiting of Glastonbury sends the same inexorable extortioner an advowson, and a corrody of five pounds a year,[6] together with some appointments, that of Master of the Game, and Keeper of the Park of Northwood.[7] The Abbess of Godstow offers her "poor little fee,"[8] and makes him Steward of the Abbey for life,[9] and uses all womanly arts to conciliate the dreadful devastator, but in vain after all. The Abbess of Shaftesbury tries to ransom her house by a payment of five hundred marks to the King and one hundred pounds to his vicegerent;[1] and her neighbour, the Abbot of Cerne, follows suit with a similar offer.[2] Cranmer offers unto "his grace the King two or three hundred pounds on behalf of the brethren of Christ Church, Canterbury,"[3] gave Cromwell the same profitable appointments that he held from the Abbot of Glastonbury,[4] and sent him periodical "fees" of twenty[5] and forty pounds,[6] the see of Canterbury itself not being powerful enough to contend against this covetous man's extortionate demands.

Advowson, corrody, and rangership

The bribes taken, but nothing gained

Such are a few of the instances in which the dying monasteries endeavoured to buy life for a short time longer at the hands of as ruthless and imperturbable a statesman as ever carried out a policy of confiscation. But the endeavours were hopeless. He accepted the gifts, appointments, money, cattle, everything that he could get, but went on unchangeably in the course originally marked out until the last scrap of monastic property had been gathered into the King's coffers, or appropriated to himself, his relatives, and the courtiers who formed his party.[7]

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[5] Ellis' Orig. Letters, III. ii. 334.
[6] Ibid., 350.
[7] Ibid., iii. 6.
[8] Ibid., 116.
[9] Ibid., 232.
[1] Ibid., 230.
[2] Ellis' Orig. Letters, III. iii. 231.
[3] Jenkyns' Life of Cranmer, i. 77.
[4] Ibid., 277, 280.
[5] Ibid., 179.
[6] Ibid., 298.

Solemn forebodings of the monks

But let it not be supposed that because such appeals were made to the covetousness of Henry and his chief minister, there were no thoughts of a higher kind in these religious houses. Solemn forebodings came upon some of their inmates, such as might naturally arise in the minds of men whose field of vision was not a wide one, whose reading was chiefly associated with Holy Scripture, and to whose quiet lives the disturbances of the visitation must have seemed like the powers of evil let loose upon them. Then the stronger souled men betook themselves to preparation for violent deaths, if death should so come, as it did to many of them: and they tried to calm the agitated and unsettled minds of their weaker brethren by special devotional exercises suited to times of trouble. The curtain is lifted from an interior where this was going on after that fearful slaughter and starvation by which the brethren of the Charter House, to the number of about forty resolute and uncompromising men, had been exterminated. It is lifted by unfriendly and treacher-

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[7] Among Cromwell's own memoranda is one relating to such appropriations:—"Item, to remember Warner for a monastery. Item, Dr. Carne. The Lord Grey Wilton. Ralph Sadler. Nicholas Rusticus, Mountgrace. Mr. Gostwick for one monastery. Mr. Kingsmill for Wharwell. John Freeman for Spalding. Myself for Laund. Item, to remember John Godsalve for something, for he hath need. Item, to remember my Lord Ferrars." Ellis' Orig. Letters, II. ii. 123 n.

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ous hands and therefore the scene revealed is not likely to be represented in too good colours. It is at Woburn in 1535, two years before the end.

The Abbot of Woburn's exhortation to his brethren

"At the time that the monks of the Charter House, with other traitors, did suffer death, the abbot did call us into the Chapter House, and said these words:—'Brethren, this is a perilous time; such a scourge was never heard since Christ's passion. Ye hear how good men suffer the death. Brethren, this is undoubted for our offences. Ye read, so long as the children of Israel kept the commandments of God, so long their enemies had no power over them, but God took vengeance of their enemies. But when they broke God's commandments, then they were subdued by their enemies, and so be we. Therefore let us be sorry for our offences. Undoubted He will take vengeance of our enemies; I mean those heretics that causeth so many good men to suffer thus. Also it is a piteous case that so much Christian blood should be shed. Therefore, good brethren, for the reverence of God, every one of you devoutly pray, and say this psalm, "Oh God, the heathen are come into Thine inheritance; Thy holy temple have they defiled, and made Jerusalem a heap of stones. The dead bodies of Thy servants have they given to be meat to the fowls of the air, and the flesh of Thy saints unto the beasts of the field. Their blood have they shed like water on every side of Jerusalem, and there was no man to bury them. We are become an open scorn unto our enemies, a very scorn and derision unto them that are round about us. Oh remember not our old sins, but have mercy upon us, and that soon, for we are come to great misery. Help us, oh God of our salvation, for the glory of Thy name. Oh be merciful unto our sins for Thy name's sake. Wherefore do the heathen say, Where is now their God?" Ye shall say this psalm every Friday after the Litany, prostrate, when ye lie upon the high altar, and undoubtedly God will cease this extreme scourge.'"[8]

A little later, when the suppression of the small monasteries had been legalized by Act of Parliament, the good abbot called another chapter, enjoining the monks to sing "Let God arise and let His enemies be scattered," and to say at every mass the collect of the Sarum mass, "pro tribulatione cordis," "O God, merciful Father, that despisest not the sighing of a contrite heart, nor the desire of such as be sorrowful," as it stands in our Litany. Thus we hear the dying throbs of that sad devotion which ascended to a righteous Judge from altars that were about to be hewn down, and out of the stalls which were soon to be burnt for firewood.

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[8] Froude's Short Studies on Great Subjects, ii. 96.

Visitors tried to get "voluntary" surrenders

But long before the severed limbs of this good abbot were set up as those of a traitor,[9] the visitors had been doing their work effectually in many of the monasteries which remained after the first Act of Suppression. Their first object was to obtain "surrenders" of the monasteries into the hands of the King, by which means he became the owner of the buildings, lands, sacred vessels, jewels, and everything else that had hitherto been held in trust by the responsible members of each religious house. When this had been secured, the whole community was turned adrift, the church and other buildings dismantled, and all portable articles of value carried up to London. The commissioners had not (as has been mentioned before) any legal power to do all this against the will of the monks, but an act of surrender signed by the head of the house and a majority of its members placed everything at their disposal. These surrenders were obtained from a large number of the monastic corporations during the years 1537, 1538,

having no legal power to suppress

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[9] The Abbot and the Prior of Woburn were both hung and mutilated as traitors in 1537, when so many other abbots suffered.

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and 1539, and they were all legalized by the second Act of Suppression passed in the latter year.

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What these surrenders really come to

A few words further about these "surrenders," many of which still exist among our records. In most of these documents it is alleged that the houses, lands, and goods are voluntarily surrendered to the King, with all titles and interests that the monks possessed in them: and that this surrender is made under the conviction that they have been guilty of crimes and vices which make them no longer deserving of their estates and possessions. But there is evidence to show that the voluntary character given to these documents was a legal—or illegal—fiction, and this evidence is corroborated by the tone of the documents themselves. It is exceedingly improbable that any but a *ready-made* instrument of surrender would be couched in such words as these:

That of the Stamford Greyfriars

> "Forasmuch as we, the warden and friars of the house of St. Francis in Stamford, commonly called the Grey Friars in Stamford, in the county of Lincoln, do profoundly consider that the perfection of Christian living doth not consist in the 'dome' ceremonies, wearing of the grey coat, disguising ourselves after strange fashions, docking and becking, in girding ourselves with a girdle full of knots, and other like papistical ceremonies, wherein we have been most principally practised and misled in times past; but the very true way to please God, and to live a true Christian man without all hypocrisy and feigned dissimulation, is sincerely declared unto us by our Master, Christ, His Evangelists and Apostles. Being minded therefore to follow the same; conforming ourselves unto the will and pleasure of our supreme head under God in earth, the King's majesty, and not to follow henceforth the superstitious traditions of any 'forincyall' potentate or power, with mutual assent and consent, do submit ourselves unto the mercy of our said sovereign head. And with like

mutual assent and consent, do surrender and yield up unto the hands of the same all our said house of Saint Francis in Stamford, commonly called the Grey Friars in Stamford, with all lands, tenements, gardens, ... most humbly beseeching his most noble Grace to dispose of us and of the same as best shall stand with his most gracious pleasure. And farther, freely to grant unto every one of us his license under writing and seal, to change our habits into secular fashion, and to receive such manner of livings as other secular priests commonly be preferred unto," &c., &c.[1]

Still more wanting in probability is it that the members of any monastery would *knowingly* and voluntarily put their hands to a document in which the Prior and Convent of St. Andrew of Northampton are made to confess themselves guilty of evil living in such terms as the following :—

That of St. Andrew's Priory, Northampton

"But as well we as others our predecessors, called religious persons within your said monastery, taking on us the habit of outward vesture of the said rule, only to the intent to lead our lives in the idle quietness, and not in virtuous exercise, in a stately estimation and not in obedient humility, have under the shadow or colour of the said rule and habit vainly, detestably, and also ungodly employed, rather devoured, the yearly revenues issuing and coming of the said possession in continual ingurgitations and farcings of our carrion bodies, and of others the supporters of our voluptuous and carnal appetite, with other vain and ungodly expenses: to the manifest subversion of devotion and cleanness of living. . . . Which our most horrible abominations[2] and execrable persuasions of your Grace's people to detestable errors, and our long covered hypocrisy cloaked with feigned sanctity: we revolving daily, and continually pondering in our sorrowful hearts, and thereby perceiving the bottomless gulf of everlasting fire ready to devour us if, persisting in this state of living, we should depart from this uncertain and transitory life, *constrained by the intolerable anguish of our conscience, called as we trust by the grace of God who would have no man to perish in sin: with hearts most contrite and repentant, prostrate at the noble feet of your most royal Majesty,* most lamentably do crave of your Highness of your abundant mercy, to grant unto us most grievous against God, and your Highness, your most gracious pardon for our said offences, omissions, and negligences, committed as before by us is confessed, against your Highness, *and your most noble progenitors.*"

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[1] Fuller's Ch. Hist., ii. 223, ed. 1837.

[2] Lest the omitted passage should be misinterpreted, it should be added that it relates to "dead images and counterfeit relics."

After which follows the resignation itself, signed by the prior, sub-prior, and eleven brethren.[3]

Such documents transparently worthless as evidence

Credulous writers have actually taken such overdone documents as true confessions of the enormities alleged against the monks; and not only have supposed them to be unanswerable as to the criminality of the persons signing, but also to be irrefutable evidence as to the utter impurity and rottenness of the system for many previous generations.

But one who wrote almost at the time of the suppression, and from the account of relatives who had witnessed it, tells us how the visitors made their appearance at Roche Abbey, and it will be seen that the statement is, at least in this instance, wholly inconsistent with such confessions as the above, such servile aspirations after the King's pardon, and such earnest desire to be released from the monastic life.

Contemporary view of a "surrender"

"So soon," he says, "as the visitors were entered within the gates, they called the abbot and other officers of the house, and caused them to deliver up to them all their keys, and took an inventory of all their goods; and when they had so done, turned the abbot with all his convent and household forth of the doors. Which thing was not a little grief to the convent, and especially such as with their conscience could not break their profession; for it would have made a heart of flint to have melted and wept to have seen the breaking up of the house and their sorrowful departing."[4]

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[3] Fuller's Ch. Hist., ii. 225, ed. 1837.

And even one of the visitors bears witness to the same effect:—

> "Divers of the friars are very loath to forsake their houses, and yet they be not able to live; for I think, for the more part of them, if all their debts should be paid, all that is in their houses is not able to do it." . . . "There was an Anchoress with whom I had not a little business to have her grant to come out, but out she is."[5]

Character of "surrenders"

The real fact is, that these contemptible documents are cut-and-dried forms which were placed before the monks for signature without any regard to their knowledge of the contents. It is quite probable that some, in their utter despair, grew indifferent to everything, as old people will, and when they were told to sign their names to a document did so. Those also who had already charged their brethren with vice and crime, at the instigation of Cromwell and the visitors, and in the hope of reward, would, of course, do so without any scruple. But many houses would have nothing to do with the surrender, and gave the visitors much trouble: some refusing to the last. The difficulty thus created was sometimes got over by displacing a refractory abbot, and substituting one who would be pliant enough for the visitors' purpose, as in the case of the monastery of Evesham, from which Abbot Lichfield was thrust out to make room for Abbot Hawford, a young monk, who surrendered the house directly, and thus obtained a pension of two hundred and forty pounds

Refractory abbots turned out

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[4] Ellis' Orig. Letters, III. iii. 32.

[5] Ibid., 190.

Pliant abbots rewarded

a year, and was afterwards made Dean of Worcester.[6] Sometimes pliant bishops were made abbots for the same object, or abbots rewarded with bishoprics on their engagement to surrender, as it is plain from the dates was the case with More, Bishop of Colchester; Holgate, Bishop of Llandaff; Hilsey, Bishop of Rochester; Holbeach, Bishop of Bristol; and Barlow, Bishop of St. David's. Where actual disloyalty could be directly or constructively proved, the Crown made short shrift about surrenders, as in the case of those houses which were implicated in the Pilgrimage of Grace: the monks were tied up to the nearest beam, the abbots condemned to the halter and the butcher's knife (on what Cromwell called "sorted" evidence), and the property at once confiscated.

Falsified surrenders

But after all the care taken by the visitors to make it appear that these surrenders were voluntary, there were bold men who sent up their protest to headquarters, and so left it on record for posterity as strong evidence of the falsehood by which the commissioners' proceedings were characterized. Such a protest is that of the Abbot of Vale Royal. "My good Lord," he wrote to Cromwell, "the truth is, I nor my said brethren have never consented to surrender our monastery, nor yet do, nor never will do by our good wills, unless it shall please the King's grace to give us commandment so to do, which I cannot perceive in the commission of Master Holcroft so to be. And if any information be given unto his Majesty, or unto your good Lordship, that we should consent to surrender, as is above said, I assure your good Lordship upon my fidelity and truth, there was never none such consent made by me, nor my brethren; nor no person nor persons had authority so to do in our names."[7]

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[6] Ellis' Orig. Letters, III. iii. 249.

Let it not be supposed then that the documents called surrenders really speak the truth as to the spirit in which the monks quitted their monasteries. A judicial mind, otherwise well-informed as to the history of the transactions they profess to represent, must reject them at once and will have little hesitation in saying that they have the nature of malicious forgeries, got up by such profligate and unscrupulous men as London, Layton, and Legh.

Surrenders generally false documents

Much more historical *vraisemblance* is there in the letter which a Somersetshire prior, the Prior of Hinton, wrote to his brother Alan Horde of the Middle Temple, announcing that at last he and his brethren were ready to give way. His letter is preserved among the Cottonian Manuscripts, and is as follows:—

"Jhus.

"In our Lord Jhesu shall be your salutation. And where ye marvel that I and my brethren do not freely and voluntarily give and surrender up our house at the motion of the King's commissioners, but stand stiffly, and, as ye think, obstinately in our opinion; truly, brother, I marvel greatly that ye think so; but rather that ye would have thought us light and hasty in giving up that thing which is not ours to give, but dedicate to Almighty God for service to be done to his honour continually, with other many good deeds of charity which daily be done in this house to our Christian neighbours. And considering that there is no cause given by us why the house shall be put down, but that the service of God, religious con-

A prior's feelings about surrendering

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[7] Supp. of Monasteries, Camd. Soc., p. 244. This letter was written on Sept. 9, 1539. The forged Act of Surrender, professing to the signed by the abbot and fourteen monks, is dated Sept. 7th.

versation of the brethren, hospitality, alms-deeds, with all other our duties, be as well observed in this poor house as in any religious house in this realm or in France; which we have trusted that the King's grace would consider. But because that ye write of the King's high displeasure, and my lord privy seal's, who ever hath been my especial good lord, and I trust yet will be, I will endeavour myself, as much as I may, to persuade my brethren to a conformity in this matter; so that the King's highness nor my said good lord shall have any cause to be displeased with us, trusting that my poor brethren, which know not where to have their living, shall be charitably looked upon. Thus our Lord Jhesu preserve you in grace.

"E. Hord."

Such was the real character of the acts by which the commissioners obtained possession of the monasteries. It can hardly be considered that the "surrenders" were more satisfactory, as regards justice and constitutional law, than would be the unconditional surrender of all the rectories, their churches, their lands, tithes, secular and ecclesiastical furniture, into the hands of the Ecclesiastical Commissioners, for the use of the present sovereign of England.

Parallel of a supposed modern surrender

But comparatively few of the monasteries were able to hold out against the various influences which were brought to bear upon them; and although some still remained to be disposed of when the second Act of Suppression was passed in the year 1539-40, most of them had by that time succumbed.

What followed the surrenders

And after the "surrender came the razing," which must have left a very conspicuous trail of material desolation along the course of the commissioners' travels. Piteous as it is to think upon their stones and to see them in the dust, even when we forget how Fountains, or Whitby, or Tynemouth, or Valle Crucis, or Tintern, or Glastonbury, or Reading, or Bury St. Edmund's came to be what they are, it is still more piteous when we come to see that but for wanton waste and lawless avarice they might still be what Westminster, or Beverley, or Chester, or Peterborough are at the present day. Wherever the visitors came they first packed up and sent away all the valuables which they could find, Cromwell's private instructions being evidently in agreement with one of his memoranda still preserved. "*Item*, to remember all the jewels of all the monasteries in England, and specially for the cross at Paul's, of emeralds. *Item*, to remember my Lord of Canterbury, his *best mitre* to be demanded in the lieu of the King's legacy."[8] Scarcely a letter of the visitors but contains some such announcements as "I have of these three houses 800 ounces of plate."[9] . . . "We have taken in the said monastery" (Bury St. Edmund's) "in gold and silver 5000 marks, and above, over and besides a well and rich cross with emeralds, as also divers and sundry stones of great value."[1] . . . "The household stuff and ornaments of the church" (Leicester), "which amount unto 228 pounds. The plate . . . is valued at by weight 190 pounds."[2] In the account-roll of the King's jewel-keeper, the quantity of plate thus set down is 14,531 ounces of gold, 207,635 of silver-gilt, and 67,000 ounces of silver, or about *nine tons* of gold and silver plate. In the same document is entered about £80,000 which had been received in money for other goods belonging to the monasteries.[3]

Taking possession of valuables

Amount of plate appropriated by the King

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[8] Ellis' Orig. Letters, II. ii. 120, from Cotton. MS., Titus, b. i.

[9] Ibid., III. iii. 185.

[1] Supp. of Monast., Camd. Soc., p. 144.

[2] Supp. of Monast., Camd. Soc., p. 163.

[3] Printed for the Abbotsford Club by Mr. Turnbull.

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After the jewels and plate, the next things to which the visitors turned their attention were the lead and the bells, respecting which there are also many entries in the letters and accounts of the visitors. Sometimes they appear to have been either too busy or too indifferent to go further in the work of destruction, but there were many cases in which nothing more was done, simply because the buildings were too massive to be destroyed, except at the cost of more money than the materials could be sold for.

Destruction of the buildings

"It may please your good Lordship to understand," writes John Freeman to Cromwell, "that the King's Commission commandeth me to pull down to the ground all the walls of the churches, steeples, cloisters, frater-houses, dormitories, chapter-houses, with all other houses, saving them that be necessary for a farmer. Sir, there be more of great houses in Lincolnshire than be in England beside suppressed of their values, with thick walls, and most part of them vaulted, and few buyers of either stone, glass, or slate, which might help the charges of plucking down of them. Wherefore, I certify your Lordship that it will be chargeable to the King, the down-pulling of them, if I should follow the commission, by the least 1000 pounds within the shire. Therefore, I think it were best to avoid this charge, to take first down the bells and lead, which I am about to do; for I had both a plumber and finer from London with me with all necessaries to them appertaining; which bells and lead will rise well and to a great sum, by the least six or seven thousand marks: and this done, to pull down the roofs, battlements, and stairs, and let the walls stand, and charge some with them as a quarry of stone to make sales of, as they that hath need will fetch."[4]

Bells and lead sold

Thus was the utter ruin of the monks' dwellings

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[4] Ellis' Orig. Letters, III. iii. 268. The present writer remembers an old sexton of Tynemouth who told him that he had often blown up portions of the priory church there with gunpowder, to sell the stones; and that houses were built with them.

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and offices, and of the Houses of God, brought about as it might have been brought about by a company of Mahometans or Pagans. In some accounts which are preserved are such entries as these :—

Selling stained glass, carvings, tiles, &c.

"Sold to Ralph Sheldon, Esqre., and Mr. Markham, the iron and glass in the windows of the north side of the cloister. . . . *Item,* received of the same Mr. Greville for a little table and the paving stone there. . . . *Item,* sold to Mr. Markham the paving tile of the north side of the cloister. . . . *Item,* the pavement of the east side of the cloister sold to a servant of the Bishops of Worcester [Latimer]. . . . *Item,* the glass of the east side of the cloister sold to Mr. Morgan. . . . *Item,* sold to Thomas Norton a buttress at the east end of the church. . . . *Item,* the pavement in the choir, sold to Mr. Streets. . . . *Item,* the friars seats in the choir, sold to John Laughton. . . . *Item,* the roof of the church, sold to Sir Thomas Gilbert and Edmund Wetherins of Chekeley parish. . . . *Item,* the glass and iron in the windows of Saint Michael's chapel, sold to John Forman. . . . *Item,* the timber of the said chapel, sold to William Loghtonhouse. . . . *Item,* the shingle of the same chapel, sold to William Bagnall."[5]

Almost more sad than this spirit of merchandize is the wanton sacrilege recorded of himself by the infamous Dr. London :—

Dr. London only defaces churches

"At Reading I did only deface the church : all the windows being full of friars ; and left the roof and walls whole to the King's use. . . . At Aylesbury . . . . I only sold the glass windows and their ornaments with their utensils. I left the house whole, and only defaced the church. . . . At Warwick . . . I defaced the church windows and the cells of the dormitory as I did in every place, saving in Bedford and Aylesbury, where were few buyers."[6]

But when it began to be fully understood that this

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[5] Supp. of Monast., Camd. Soc., pp. 266-278.

[6] Ellis' Orig. Letters, III. iii. 131.

General unlicensed plunder ensues

utter ruin was to be effected, even the starving monks and their secular neighbours assisted in the work of spoliation. In Scarborough the Bishop of Dover found the black, white, and grey friars "so poor that they have sold the stalls and parcloses in the church, so that nothing is left but the stone and glass, yet there is meetly good lead in these three places."[7] In Warwickshire, writes London—

> "The poor people thoroughly in every place be so greedy upon these houses when they be suppressed, that by night and day, not only of the towns, but also of the country, they do continually resort as long as any door, window, iron, or glass, or loose lead remaineth in any of them. And if it were so done only where I go, the more blame might be laid to me, *but it is universally that the people be thus greedy for iron, windows, doors, and lead*."[8]

Which testimony of the visitors themselves is curiously corroborated in the case of Roche Abbey by a subsequent writer, who says :—

Contemporary account of reasons for plundering

> "I demanded of my father, thirty years after the Suppression, which had bought part of the timber of the church, and all the timber in the steeple, with the bell-frame, with others his partners therein (in the which steeple hung eight, yea, nine bells, whereof the least but one could not be bought at this day for twenty pounds; which bells I did see hang there myself more than a year after the Suppression), whether he thought well of the religious persons and of the religion then used. And he told me, Yea: for, he said, I did see no cause to the contrary. Well, said I, then, how came it to pass, you was so ready to destroy and spoil the thing that you thought well of? What should I do? said he. Might I not, as well as others, have some profit of the spoil of the abbey? for I did see all would away, and therefore I did as others did. Thus you may see that as well they who thought well of the religion then used, as they which thought otherwise could agree well

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[7] Ellis' Orig. Letters, III. iii. 188.

[8] Ibid., 139.

enough, and too well, to spoil them. Such a devil is covetousness and mammon! and such is the providence of God to punish sinners in making themselves instruments to punish themselves and all their posterity from generation to generation. For no doubt there hath been millions that have repented the thing since; but all too late."[9]

A few strong houses hold out to the last

County after county was thus desolated, yet some of the more powerful monasteries, and especially those whose mitred abbots sat in Parliament, still remained comparatively untouched. It became necessary, therefore, to break down the force of their active resistance and, scarcely less, of their "dead-weight" by some signal example. Two successive Abbots of Colchester[1] were executed in the year 1539, and also the Abbot of Reading, all three being Lords of Parliament: and perhaps these were not all who suffered at that time *in terrorem.* But the final act of the tragedy was ushered in by a deed of horrible atrocity, which has left its mark in Somersetshire hearts to the present day, and which may be classed with such detestable acts as the execution of the aged Countess of Salisbury, Bishop Fisher, and Sir Thomas More.

Execution of the Abbot of Glastonbury

The last Abbot of Glastonbury was Richard Whiting. Why he was singled out for an example is not clear: but probably to show forcibly the overpowering character of the royal will by destroying an ecclesiastic of immense moral weight and territorial influence. To adopt the language used ten years before respecting his friend Wolsey, the Abbot of Glastonbury was probably considered to be the "bell-wether" of the mitred abbots, and when he had fallen the others would be without hope, and an easy prey. He was an old man, about eighty years of age, and had been long known for his practical piety and his great-souled hospitality. Every Wednesday and Friday the poor of the neighbourhood came in crowds to his gate, and as many as five hundred of the county gentry sometimes sat down at his table; while he had the sons of the latter living in the monastery, to the number of three hundred, for the purpose of an education such as is now given at Eton or Winchester, besides many other youths of a lower rank whom he gratuitously supported with the same object as a preparation for Oxford and Cambridge.

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[9] Ellis' Orig. Letters, III. iii. 34.

[1] Thomas Marshall in January, and John Beach in December.

His high character and influence

The visitors (or inquisitors, as Englishmen would call them elsewhere than in England) came suddenly to Glastonbury, at ten o'clock one morning at the end of September 1539, and found that the Abbot was at an outlying residence called Sharpham, about a mile distant from the abbey. Thither they hurried as quickly as they could, and finding the old abbot in his study, began to examine him on subjects of which he appears to have known nothing, and therefore could confess nothing: "and for that his answer was not then to our purpose, we advised him to call to his remembrance that which he had as then forgotten, and so declare the truth." They brought him back to the abbey; and when the old man had gone to bed at night, began "to search his study for letters and books: and found in his study secretly laid, as well a written book of arguments against the divorce of his King's Majesty and the lady-dowager, *which we take to be a great matters*" (though poor Catherine had been dead four years!), "as also divers pardons, copies of bulls, and the

The visitors examine him, and search his house

A.D. 1539

counterfeit life of Thomas Becket in print; but we could not find any letter that was material." Having thus found an old pamphlet among the litter of the abbot's study,[2] and a life of Becket in his "Golden Legend," they considered themselves provided with ample materials for a charge of treason, but thought it proper to put him through another examination, his answers, they write to Cromwell, clearly making "appear his cankered and traiterous heart and mind against the King's Majesty and his succession." Then they sent him up to London to the Tower, apologizing to Cromwell for their leniency, by explaining that the abbot is "a very weak man and sickly." This apology is succeeded by a significant statement, which shows what the real object of the commissioners was:—

What they found to [illegible] a traitor

> "As yet we have neither discharged servant nor monk; but now *the abbot being gone*, we will, with as much celerity as we may, proceed to the dispatching of them. We have in money £300 and above; but the certainty of plate and other stuff there as yet we know not, for we have not had opportunity for the same, but shortly we intend (God willing) to proceed to the same; whereof we shall ascertain your Lordship so shortly as we may. This is also to advertise your Lordship that we have found *a fair chalice of gold, and divers other parcels of plate, which the Abbot had hid secretly from all such commissioners as have been there in times past*; and as yet he knoweth not that we have found the same; whereby we think that he thought to make his hand, by his untruth to his King's majesty."[3]

Their true business at Glastonbury

A week later they write—

> "We have daily found and tried out both money and plate

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[2] In Stevens' History of Monasteries, i. 452, it is asserted that the searchers themselves brought in this little book against the divorce without Whiting's knowledge. Nothing more likely.

[3] Supp. of Mon., Camd. Soc., p. 256.

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hid and mured up in walls, vaults, and other secret places, as well by the abbot as other of the convent, and also conveyed to divers places in the country. . . . At our first entry into the treasure house and vestry also we neither found jewels, plate, nor ornaments sufficient to serve a poor parish church, whereof we could not a little marvel: and thereupon immediately made so diligent enquiry and search, that with vigilant labour we much improved the same, and have recovered again into our hands both money, plate, and ornaments of the church. How much plate we know not, for we had no leisure yet to weigh the same; but we think it of a great value, and we increase it more every day, and shall do as we suppose, for our time here being. We assure your Lordship that the abbot and the monks aforesaid had *embezzled and stolen* as much plate and adornments as would have sufficed to have begun a new abbey: what they meant thereby, we leave it to your judgment. Whether the King's pleasure shall be to execute his laws upon the said four persons, and to minister justice, according to their desert, or to extend his mercy toward them, and what his majesty's pleasure is, it may please your Lordship to advertise us thereof."[4]

They rifle the abbey

On the 2nd of October the same commissioners, Pollard, Moyle, and Layton, write that they have discovered divers and sundry treasons committed by the abbot, which they have noted in a book accompanying their letter.

The abbot's real crime in their eyes

The real "treason" committed by the abbot and his brethren was that of endeavouring to save the treasures dedicated to God from the hands of the King and courtiers by concealing them. The same thing is said to have been done in other places; and at Durham there is a tradition (known also on the Continent), that the jewels and plate of the cathedral still remain in their place of concealment.[5] This was a kind of treason which was unpardonable, and provision was made for trying the abbot at Wells.

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[4] Supp. of Mon., Camd. Soc., p. 258.

[5] Two official attempts were made to discover this place of concealment in the year 1867.

What kind of provision was thus made is indicated by some private memoranda of Cromwell's which still exist in his handwriting :—

Cromwell's idea of a trial and of evidence

> "*Item*, Certain persons to be sent to the Tower for the further examination of the Abbot of Glaston. *Item*, The Abbot of Glaston *to be tried* at Glaston, and *also to be executed* there with his accomplices. Counsellors to give evidence against the Abbot of Glaston, Richard Pollard, Lewis Forscen, Thomas Moyle. *Item*, To see that *the evidence be* WELL SORTED, and the indictments well drawn against the said Abbot and their accomplices."

So the grand old abbot, much broken in mind with sickness and imprisonment, was taken to Wells, to go through the formality of a trial by jury, his condemnation having been already insured by a "sorting" of the evidence, and his execution having been already determined upon.

How the trial was conducted

When he arrived at Wells, the old man was informed that there was an assembly of the gentry and nobility, and that he was summoned to it : on which he proceeded to take his seat among them, the habits of a long and honourable life clinging to him even after his imprisonment. Upon this the crier of the court called him to the bar to answer a charge of high treason. "What does it all mean ?" he asked of his attendant, his memory, and probably his sight and hearing, having failed. His servant replied that they were only trying to alarm him into submission, and probably this was the opinion of most who attended the court, as well as of the jurors, "as worshipful a jury," writes Lord Russel to Cromwell,

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[6] Ellis' Orig. Letters, II. ii. 120, from Cotton. MS., Titus, b. i.

The aged abbot condemned

and treated with wanton cruelty

"as was charged here this many years. And there was never seen in these parts so great an appearance as were at this present time, and never better willing to serve the King." He was soon condemned, though he appears not to have understood what had happened; and the next day, November 15, 1539, he was taken to Glastonbury in his horse-litter. It was only when a priest came to receive his confession as he lay that he comprehended the state of things; then he begged that he might be allowed to take leave of his monks before going to execution, and also to have a few hours to prepare for his death. But no delay was permitted, and the old man was thrust out of the litter on to a hurdle, upon which he was rudely dragged through the town to the top of the hill which overlooks the monastery.[7] What followed may be told in the words of Lord Russel:—

> "My Lord, this shall be to ascertain that on Thursday the 14th day of this present month the Abbot of Glastonbury was arraigned, and the next day put to execution with two other of his monks, *for the robbing of Glastonbury Church*, on the Torr Hill next unto the town of Glaston, the said Abbot's body being divided in four parts, and head stricken off, whereof one quarter standeth at Wells, another at Bath, and at Ilchester and Bridgewater the rest, and his head upon the abbey gate at Glaston.[8] . . . .
>
> J. RUSSEL."

His gentleness and patience

While he was waiting for the hangman, he was questioned again by Pollard as to the concealment of plate, but he had nothing more to say, and would accuse neither himself nor others,"[9] but "thereupon took his death very patiently."

Popular feeling on the subject

What impression this piteous tragedy made upon the people of the West Country is partly shown by two verses of a Somersetshire ballad belonging to the succeeding century; in which a countryman on his way to London by Glastonbury is made to sing as follows:—

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[7] Stevens' History of Monasteries, i. 452.

[8] Supp. of Monast., Camd. Soc., 260.

[9] Ibid., 262.

> "Ice azked whose tooke downe the leads an the beels,
> And they tould me a doctar that lived about Wels:
> In the 7th of Jozhua pray bid them goe looke,
> Chill be hanged if thick same chaptar be not out of his booke.
>
> Vor thare you may reade about Achan's wedge,
> How thick zame goolden thing did zettz teeth an edge.
> 'Tis an ominous thing how this church is abused,
> Remember how poor Abbott Whitting was used."[1]

Not the only such tragedy

It was probably but one tragedy among many, but the age of the victim, his venerable character, and probably other circumstances of which the memory is lost, helped to give this a detailed place in the history of the dissolution when others have only left a name and a date.[2] So, if such days should come

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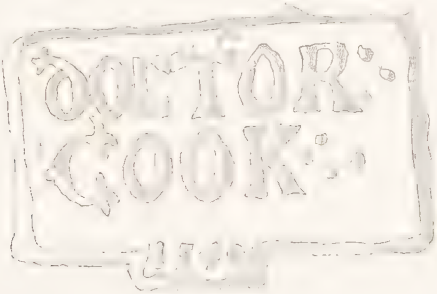
[1] Halliwell's Collection of Pieces in the Dialect of Zummerzet, p. 4.

[2] There is, it seems probable, another slight memorial of this event in the inscription—which still remains upon the walls of the Beauchamp Tower in the Tower of London: for this is probably the handiwork of Hugh Cook, Abbot of Reading, who was imprisoned with Abbot Whiting, and respecting whom also Cromwell made the memorandum,



again, the fate of some much-venerated dean may be told to future centuries, and that of his brother deans be scarcely noticed.

Second Act of Suppression

And so at last the way was cleared for the Second Act of Suppression [31 Hen. VIII. cap. 13], by which the devastation, sacrilege, and rapacity of the last four years was to be legalized. The way had been so well cleared that, as far as can be made out, no further resistance was offered in Parliament or elsewhere. Despair had taken hold upon all who were yet left to represent the so lately widespread and influential communities of monks, and the last of them melted away before the giant power of Tudor will and tyranny. Enough is told of the Act itself when it is said the object of it was not to suppress monasteries, but to invest in the Crown all which had been surrendered, or should be thereafter surrendered. As the abbots and brethren were only trustees of their houses and estates, having nothing more than a life-interest in them, they could only surrender the life-interest which they possessed. The Act of Parliament was therefore necessary to place all their property permanently in the hands of the King and his successors. It does not, like the Act of 1535, allege any reasons for doing this, but simply states that "sundry abbots, priors, abbesses, prioresses, and other ecclesiastical governors and governesses of divers monasteries . . . of their own free and voluntary minds, good wills, and assents,

simply for investing monastic property in the Crown

"*Item*, the Abbot of Reading to be sent down to be tried and executed at Reading with his accomplices."

A further record of the imprisonment of the last-named Abbot is contained in a letter of John Whalley to Cromwell,—"The Prior of Reading . . . was removed . . . unto Beatcham Tower, accompanyed with the parson of Honey Lane and Xrofer Coo, to be convertede." Ellis' Orig. Letters, III. ii. 163.

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A.D. 1540

without constraint, coaction, or compulsion of any manner of person or persons," have resigned and granted to the King all their houses, estates, and privileges, and therefore it is enacted that the King shall have, hold, possess, and enjoy them to himself and to his successors for ever. An Act of the following year suppressed the Knights of St. John of Jerusalem; and in 1545-6 one was passed [37 Hen. VIII. cap. 4] which placed the endowments of the universities, of all colleges of priests, and of all chantries, at the mercy of the King. Commissioners were appointed under the latter Act to take possession of the institutions confiscated; but before they were able to do this Henry's death took place, and another Act became necessary in the next reign.[3]

Knights of St. John suppressed

Further intentions of Hen. VIII

Thus we come to the end of this vast scheme of spoliation. But before gathering up some of the results which followed, there is one important question which remains yet untouched. It may be said that although there was much fraud, cruelty, and wanton destruction of Church property associated with the dissolution of the monasteries, yet the general wickedness and the useless lives of their inmates was such as fully to justify their suppression. One may regret, it may be added, that so much Church property should have been diverted from Church uses, and that so many sacred buildings should have been

Inquiry as to morality of monks

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[3] It is somewhat singular that Henry VIII.'s great financial attacks on the Church occurred in regular succession, and at regular intervals of about five years. In 1530 he imposed an enormous fine on the clergy: in 1535 dissolved the monasteries under £200 a year income: in 1540 completed the dissolution of the greater monasteries: in 1545 he attacked the universities and chantry chapels. Before another lustre had passed, the King was called to his account.

desecrated and ruined; but the blame of this rests, in the first instance, on those who had so abused the system to which they belonged as to provoke their own downfall, and in their downfall to drag down a great deal besides themselves, which but for them might have stood to this day.

Some truth in such statements

That there is some truth in such a statement has been shown already in the opening pages of this chapter; but, as has been there remarked, the evidence that remains to us as to the condition of the monasteries is too incomplete, and too one-sided to permit the impartial historian to endorse fully the opinion above expressed. No doubt there are many censures of the lives of monks which were written by friendly hands in various ages: but it is to be observed that such censures were generally aimed at something very different from what we understand by immorality or irreligion. When ascetic censors complained that the monks were wanting in religion, it was the "religio" of the monastery and the rule of the founder that they had in view: when that they were wanting in devotion, it was in that exalted devotion of saints to which few persons in ordinary life ever attain: when that they were self-indulgent, it was in such self-indulgence as failing to wake for the choir service of the night-hours, or taking a morsel of meat during long bread-and-water fasts: when that luxury was overwhelming the monastic system, it was because the guest house was too sumptuous in its hospitality, or the straw mattresses of the monks' cells made somewhat less hard than formerly.[4] The censures of ascetic writers must,

Exaggerations of ascetic censors

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[4] Ammonius wrote to Erasmus, advising him not to put up at any of the London monasteries during his visit to England, the beds being so very hard, and the fare so meagre. Erasmus took the hint.

therefore, be understood according to their original intention, and laxity in respect to ascetic discipline must not be confounded with what is understood by the Christian world at large as luxury or laxity of morals. "Bloated monks" are a common Protestant ideal, but they to whom the term was applied were probably no more commonly degenerated as monks than the "the bloated aristocracy" of a republican ideal are commonly degenerated as gentlemen: and this Protestant ideal was as far as possible from the minds of the friendly censors who are so often brought forward as witnesses in support of it.

Official reports made at the visitations

But there is another class of witnesses upon whose testimony much reliance has been placed, the commissioners or visitors who inspected or professed to inspect all the monasteries in England during the five years which preceded the last Act of Suppression, and who sent up reports of what they professed to observe as to the moral condition of the monks and nuns. Supposing these to have been high-minded men, we might take their veracity for granted, and when they reported cases of immorality we should consider their report as settling the question. Were they such? We do not find much information as to the character of these visitors, but let us see what it is that we do find.

Character of the King's chief agent

It is certain that the King himself had a very poor opinion as to the trustworthiness of those whom he used as his instruments in the dissolution. A Mr. George Paulet, whose duties kept him much in the King's gallery at Whitehall, declared that the King frequently boxed Cromwell's ears that he called him villain, knave, and other contemptuous names; and the same Paulet added - what is pretty well proved by documentary evidence—that the vicegerent in ecclesiastical matters was the greatest briber and taker of bribes in England.[5] The King suspected him of fraud on a large scale, and although his last piteous and undignified letter from the Tower denies this, it is impossible to doubt that the King's suspicions were correct, for John Gostwicke, one of Cromwell's agents, acquaints his "excellent Majestie" that he has in hand £10,000 which he had retained unknown to the Earl of Essex, that the latter might not order him to disburse it without warrant, that is to appropriate it to Cromwell's own use in some kind of investment.[6] From another source[7] we learn that a miserable set of ribald ballad writers were kept in his pay—in his family as Foxe says—for the purpose of vilifying with their hack pens those whom he was opposing in ecclesiastical matters. All which, and much more to the same effect might be added as regards Cromwell, shows that he was a most unscrupulous man, and known to be so; and if his agents wrote him false ribaldry under the pretence that it was just and true evidence, they would only have been acting according to his policy, and possibly in obedience to his orders. Henry VIII. certainly called his chief adviser of those days a "knave" and a "villain" with very good reason.

The King's estimate of his visitors

But the King's opinion as to the trustworthiness of the visitors themselves is also on record:—

> "Sir," writes Giffard, one of the best of them, to Cromwell, "forasmuch as of late my fellows and I did write unto Mr.

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[5] State Papers, ii. 551. This was said in 1539, before Cromwell's disgrace.

[6] Ellis' Orig. Letters, II. ii. 162.

[7] Foxe's Acts and Mon., v. 403.

Chancellor of the augmentations in the favour of the abbey of St. James, and the nunnery of Catesby in Northamptonshire, which letter he showed unto the King's Highness in the favour of those houses, where the King's Highness was displeased: as he said to my servant Thomas Harper: *saying that it was like that we had received rewards which caused us to write as we did. . . .*"[8]

Yet *four* commissioners had made this favourable report of Catesby nunnery. It is thus shown that the King had selected men for visitors whom he considered capable of being bribed, and of telling falsehoods if they were paid for doing so: and also that he had them sent out to make *unfavourable, not favourable reports.*

Evidence as to character of Legh

The luxury, vanity, and venality of Dr. Legh are reported to Cromwell by one of his fellow commissioners, John ap Rice:—

"In his going he is too insolent and pompatique; . . . he handleth the fathers where he cometh very roughly, and many times for small causes, as the Abbots of Bruton and Stanley, and Mr of Edington for not meeting of him at the door where they had no warning of his coming. . . . The man is young and of intolerable elation of mind. . . . Also in his visitation he refuseth many times his reward though it be competent, for that they offer him so little, and maketh them to send after him such rewards as may please him. Sir, surely religious men were never so afraid of Dr. Allen as they be of him, he useth such rough fashion with them. He hath twelve men waiting on him in a livery, beside his own brother, which must be rewarded specially beside his other servants. . . ."[9]

This Legh was one of the chief revilers of the monks and nuns: but it is not of such stuff that credible witnesses are made.

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[8] Supp. of Monast., Camden Soc., p. 136.

[9] Ellis' Orig. Letters, III. ii. 356.

Dr. London was a dignitary of the Church, Warden of New College from 1526 to 1542, Canon of Windsor, Dean of Osney, and Dean of Wallingford: holding other preferments besides. Here is his character written by the strongly Protestant Archdeacon Louth, and in connection with quite other matters than the visitation of the monasteries:

Evidence as to character of London

> "But to what open shame Doctor London was afterwards put, with open penance with two smocks on his shoulders, for Mrs. Thykked and Mrs. Jennynges, the mother and the daughter, and how he was taken with one of them by Henry Plankney in his gallery, being his sister's son—as it was then known to a number in Oxford and elsewhere; so I think that some yet living hath it in remembrance, as well as the penner of this history."[1]

This visitor of the monasteries was removed from New College to the Fleet in London, on a charge of *perjury*, and there he died miserably in 1543. Bishop Burnet, who probably had *not* seen Archdeacon Louth's reminiscences, says, "I have seen complaints of Dr. London's soliciting the nuns, yet I do not find Dr. Lee complained of."[2] Fuller says "that when convicted of perjury, this Dr. London was punished by being made to ride with his face to his horse's tail through Windsor." Such again, a dean twice detected in immorality and put to open penance for it, and afterwards convicted of perjury, is not the stuff of which credible witnesses are made.

Evidence as to character of Legh

Dr. Layton seems to have been one of Cromwell's favourites. He also was in holy orders, and was, or had been, clerk of the council. Anthony Wood records of him that "he did much to please the unlimited desire of the King," that is, he pandered to the King's gross immoralities. On several occasions Layton's letters exhibit him as a furious iconoclast, and worse: and the evident gratification with which he tells tales about immorality is in itself an evidence that he was familiar with vice. He gloats over them with a filthy leer, and tells Cromwell that here is something "to make him laugh," with an air that makes one doubt whether the story was not invented, or at least much dressed up, to please his patron.[3] In one of his letters to Cromwell, he says that but for him he should have been nothing but a "basket-bearer," but he rose to great preferments, being Dean of Chester-le-Street, Archdeacon of Buckingham, and eventually Dean of York. He bribed Cromwell with £100 to make him Chancellor of Sarum, and when at York pawned the cathedral plate, so that the chapter had to redeem it after his death in 1543.[4] Neither was this such stuff as credible witnesses are made of.

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[1] Narratives of the Reformation, Camd. Soc., p. 35.

[2] Burnet's Hist. Reform., i. App. par. 85.

Reports of such men not to be trusted

And yet it is chiefly on the testimony of these men that the charges of immorality made against the monks and nuns must be maintained, and especially on the testimony of Legh, London, and Layton. It is not impossible that even such bad men *may* have told the truth in this matter: but the character of witnesses must always form an important element in estimating the value of their testimony, and the character of such obscene, profligate, and perjured witnesses as Layton and London could not well be worse. These men were not "just Lots vexed with the filthy conversation of the wicked," but "filthy

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[3] Suppression of Monast., Camd. Soc., pp. 58, 75, 91, 96, 97.

[4] Cooper's Athenæ Cantab., i. 84, 535.

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dreamers" who defiled the flesh, despised ecclesiastical dominion, and spake evil of dignities in the very spirit of the Evil One.

The accused monks made bishops, &c.

Nor is it of small significance that the very persons against whom some of the worst charges were made received pensions, and were appointed to benefices, as if the charges were not believed. In the "Compendium Compertorum" Prior Wingfield of West Acre and twelve of his monks are accused of most flagrant acts of incontinency. Yet he received a pension of £40 a-year, and became Rector of Burnham Thorpe in Norfolk, when Cranmer was at the head of ecclesiastical affairs, in the reign of Edward VI. Perhaps the secret of such charges made against him and others lay in the fact that they were married.[5] When the enormities of the abbots "were first read in Parliament," says Latimer, in a sermon before Edward VI., "they were so great and abominable, that there was nothing but down with them. But within a while after, the same abbots were made bishops, as there be some of them still alive, to save and redeem their pensions."[6] The names of a few so promoted, which are given in the note below, are

and some certainly good men

the names of men against whom this charge of immorality (which in their cases, Latimer was evidently willing to believe) cannot be sustained for a moment: nor is it probable that it ever had a grain of truth in it, so far as they are concerned. And so it is that the more these accusers are brought into the day-

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[5] Ellis' Orig. Letters, III. iii. 159.

[6] Latimer's Sermons, i. 107, ed. 1824. Among those who were thus preferred may be named the following:—

Salcot, Ab. of Hyde,	made Bishop of	Bangor
Kitchin, Prior of Eynsham,	Bp. of	Llandaff
More, Prior of Walden,	,,	Colchester
Holgate, Pr. of Sempringham,	,,	Llandaff
Hilsey, Pr. of Bristol Domin.,	,,	Rochester
Rugg, Abbot of Hulme,	,,	Norwich
Holbeach, Pr. of Worcester,	,,	Bristol
Chambers, Ab. of Peterbro',	,,	Peterbro'
Barlow, Prior of Bisham,	,,	St. David's
Bush, Prov. of Bonshommes,	,,	Bristol
Parfew, Ab. of Bermondsey,	,,	St. Asaph

light *and confronted with the accused* the less and less trustworthy their accusations appear.[7]

Summary of real facts as to the dissolution

To sum up in a very few words: As it is quite certain, beyond all manner of doubt, that Henry VIII. was impelled to dissolve the monasteries by motives which had originally nothing whatever to do with their morality or immorality, so there is no trustworthy evidence whatever that their moral condition was greatly depraved. The true facts are that the King wanted money, that Wolsey's attempted reformation suggested an easy way of getting it, that his agents were chosen because they were evidently fitted for carrying out an unscrupulous business; and that partizan historians have looked up to the testimony of these false and profligate agents as if it was that of good and true men. It would probably have been for the interest of the Church of England and of the people at large, that the overgrown monastic system should be very much condensed, compressed, and reformed; but Henry VIII. had no intention whatever of *reforming* it. His only object was to quarry gold and silver out of the monastic treasuries as others afterwards quarried stones out of monastic walls: and the details of the process were dexterously managed by him and his agents with a view to overcoming resistance and ensuring success in the attainment of that object.

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[7] This is a subject respecting which evidence cannot be given in detail in the pages of a work meant for general readers. It can only be remarked further that the stories extant are most of them as untrustworthy in character as the visitors who reported them, and would not be relied on by any judicial-minded historian. They are generally like the "underground vaults leading from priories to nunneries" of which Fuller speaks, of which every antiquarian knows something, and which (adds Fuller) "are confuted by the situation of the place, *through rocks improbably, and under rivers impossible to be conveyed*. . . . Such vaults extant at this day in many abbeys extend but a few paces, generally used for the conveyance of water, or sewers to carry away the filth of the convent." Fuller's Ch. Hist., ii. 220.

But monasteries by no means blameless

At the same time it cannot be doubted that the monasteries had long been in danger of dissolution. In some way, which it is not very easy now to see clearly, the system was worn out; and abuses had arisen, as they do arise in all worn-out systems, which called for reformation, and which were greatly exaggerated by those who were hungering for the lands and goods that belonged to monks. Soon after he came to his see, West, Bishop of Ely, wrote to Wolsey (the letter is dated April 4, 1516) complaining of the disorder which he found in the monastery associated with his cathedral. He gave his opinion that but for his visitation the community could not have held together for four years longer, and he appointed new officers throughout the establishment.[8] There is reason to think that the "rule" in many monasteries had fallen much into abeyance, and that the monks were living easy and sinecure, though not luxurious and vicious, lives. The mendicant orders had done much mischief to the secular clergy, and to the regular monks of the Benedictine and other rules, and they, perhaps, more than any others, had grown into disrepute with wise and far-seeing men, through their servile devotion to Rome.

Their abolition foreseen

Hence, for many years, those who wished to apply their wealth to Church uses had founded colleges and schools rather than monasteries; and men like Wykeham, Chicheley, Waynfleet, and Wolsey, had not hesitated to convert monastic into educational institutions.[9] In 1516 Fox, Wolsey's great patron, the Bishop of Winchester, founded Corpus Christi College at Oxford, intending it as a foundation for monks and secular scholars. "What, my Lord," said the aged Oldham, Bishop of Exeter, "shall we build houses, and provide livelihoods for a company of monks whose end and fall we ourselves may live to see? Nay, nay, more meet is it that we should use care to provide for the increase of learning, and for such who by their learning shall do good to the church and commonwealth." And, so advised, Fox made the college what it now is. In later days, when Wolsey was taking the first steps towards the Reformation of the Church, Fox wrote to him that for three years he had been giving all his study, labour, and attention towards that object, and especially towards a revival of the primitive intention of the monastic life. Of Wolsey's actual plans respecting the monasteries, some account has already been given in a preceding chapter.

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[8] Brewer's Calend. St. Pap., ii. 1733.

[9] It may be useful to point out some cases in which monastic

And expected increase of educational institutions

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property was used for founding colleges.—A.D. 1390. William of Wykeham abolished the alien priories of Hornchurch and Writtle in Essex, and settled their revenues on New College; as he also did with two others (and one which he appropriated to Winchester College) on the suppression of alien priories.—A.D. 1437. Archbishop Chicheley settled on All Souls College the lands and property of the alien priories Romney, Weedon, Pinckney, St. Clare, Llangenith, and Abberbury. He also converted St. Bernard's Monastery, Oxford, into what is now St. John's College.—A.D. 1441. Henry VI. endowed Eton and King's Colleges chiefly with the property of alien priories.—A.D. 1459. Bishop Waynflect endowed Magdalen College with the revenues of Sele Priory in Sussex and Seleburne in Hampshire. Some hospitals was afterwards added in 1481 and 1484.—A.D. 1497. Bishop Alcock converted St. Rhadegund's Nunnery at Cambridge into Jesus College.—A.D. 1505. Margaret, Countess of Richmond, obtained Creyke Abbey in Norfolk for Christ's College in Cambridge; and in 1508 she began to follow Alcock's example by converting St. John's Hospital into St. John's College. Bishop Fisher followed up her plan by appropriating to it the nunneries of Heyham in Kent, Broomhall in Berkshire, and the Hospital of Ospreng.—A.D. 1515. Smith, Bishop of Lincoln, bought the Priory of Cold-Norton, and used it as the foundation of Brasenose College. — There were probably many other similar cases in the fifteenth and sixteenth centuries.

When wise and good men of that day had these opinions and plans respecting the monasteries and their reformation, it is not for us of three centuries and a half later to say that there was no good reason why they should not have remained *in statu quo.* They, at least, are reliable witnesses, who saw what we cannot see, and who desired, as much as we can desire, that the Church and her institutions should be developed to the utmost for the promotion of God's glory and man's good.

Destruction the Nemesis of non-reformation

Perhaps the true explanation of the great catastrophe which ensued during these eventful ten years is, that reformation such as these good and wise men saw to be needed was put off too long. As in many other cases, the Church failed to reconstruct and purify her own ancillary institutions, and then another power was suffered to come in like a flood and sweep them away.

Inquiry as to results of Dissolution

Before concluding this chapter, the reader will naturally ask for some information as to the immediate and proximate consequences which followed upon a social change of so much importance as that involved in the dissolution of many monasteries in every county. What became of the monks? What became of their property? What changes were effected in the general aspect of the Church and kingdom?

1. *What became of the monks,* whose number is supposed to have amounted to 100,000, a very large proportion of the population when it numbered not many more than three millions altogether.

Whatever their number was, it diminished a good deal during the years occupied by the Dissolution

Great numbers put to death

by the help of the executioner. Every opportunity was taken by Cromwell of bringing them under the operation of laws which involved the penalty of death, and it seems more than probable that the passion for blood with which he and his master were possessed, endeavoured to satiate itself upon this doomed class. Many, no doubt, enlisted in the Pilgrimage of Grace, of whom, certainly, not one escaped who survived it and came within reach of Cromwell's vengeance. We have detailed records only respecting the more prominent men, such as the abbots and priors: but, after Wolsey's fall, every week of Henry's reign was stained with the blood of his subjects, and a class so odious to him as the monks had become must have suffered most severely.[1] Their numbers, doubtless, went to swell largely the army of 80,000 alleged "thieves" and other "criminals" who were hanged during this dreadful reign.[2]

Others engaged in secular pursuits

Many lay monks, especially those who were quite young were no doubt able to turn to secular employments. Here and there one comes across floating traditions of their labours after the Dissolution, as in the building of East Dereham Church tower, and others in Suffolk. As the ecclesiastical style of art utterly died out within a generation after the Dissolution, so it is not unlikely that its lingering for a few years was owing to the fact that monastic traditions and monastic hands were still having their influence for a short time, and still stemming the influx of that miserable and soulless torrent which, under the name of the "revival of letters," was crushing out the life of our national arts, and marring all their beauty.

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[1] The *wholesale* character of Henry's executions is often illustrated by the State Papers. A band of robbers, for example, attacked some of his waggons and then fled to sanctuary. He caught 80 and hanged them all. After "Evil May Day" 400 riotous men and boys, and 11 women, were brought before him in Westminster Hall, with halters round their necks; and it was only after the long entreaty of Wolsey, supported by the Queens Catherine, Mary of France, and Margaret of Scotland, that he consented to countermand their execution. Brewer's Calend. St. Pap., i. 4096.

[2] That this supposition respecting the monks is no exaggeration is proved by Henry's despatch to the Duke of Norfolk after the latter had subdued the insurrection: "Our pleasure is that before you shall close up our banner again, you shall cause such dread-

Some in holy orders employed in Church

Two kinds of provisions were contemplated by the official documents connected with the Dissolution for those monks who were in holy orders, and who seem to have formed a large majority in the latter days of the monasteries. The one was the pension for every one who willingly surrendered to the visitors, and was desirous of receiving such a provision; the other was employment as chantry priests, that is, to say private masses for the departed, which were paid for sometimes by endowments and sometimes by fees.

Their employment as clergy seems to have been discouraged by those in ecclesiastical authority. It was objected that they came to churches as perfect strangers—poor, haggard, and half-starved tramps, probably—and that none could be sure whether or not they were in holy orders. The Archbishop of

ful execution to be done upon a good number of the inhabitants of every town, village, and hamlet that have offended, as they may be a fearful spectacle to all others hereafter that would practise any like matter, remembering that it should be much better that these traitors should perish in their unkind and traitorous follies, than that so slender punishments should be done upon them, as the dread thereof should not be a warning to others. Finally, forasmuch as all these troubles have ensued by the solicitation and traitorous conspiracies of the monks and canons of these parts, we desire you, at such places as they have conspired and kept their houses with force since the appointment at Doncaster, you shall, without pity or circumstance, cause all the monks and canons that be in any wise faulty to be tied up without further delay or ceremony."

York required that every monk should show his letters of orders before he was allowed to officiate in any church, but, writes one of the visitors to Cromwell, "Some must go an hundred miles to seek them, and when they come there the charges of searching the register is so great that they be not able to pay it, and so they come home again confounded."[3] And though the visitor told the Archbishop that when the houses were surrendered, due inquiry had been made who were priests and who were not, and that the certificate then given should suffice, it is easy to see that no wise bishop would allow such dangers of promiscuous playing with the Sacrament of the Holy Eucharist if he could possibly prevent it. And, at the best, what a miserable spectacle must it have been to see men who were considered to be fitted for the highest duties of the altar thus sent about the country to beg that the laity and the clergy would put them "into one of the priest's offices for a piece of bread!"

The difficulties clerical monks met with

This very circumstance seems to show that either the pensions were wretchedly insufficient for maintenance, or that they were not duly paid. The bestowal of these "pensions" was left by the Act of Parliament entirely to the discretion of the King. In the vast majority of cases they amounted to a single payment of forty shillings and the gift of a priest's gown on dismissal from the gate of the monastery. Those monks or nuns who had been in the house for a long time before the dissolution (*diu antea* is the expression used in the patents), had small annual sums of from £2 to £8 granted to them; while abbots and friars were entitled to receive from

Pensions to monks and nuns

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[3] Ellis' Orig. Letters, III. iii. 187.

£20 to £60 a year, when not provided with benefices. To get rid of these payments many were appointed to benefices, as has been shown by a quotation made from Latimer's sermon in a previous page. Where the amount was small, and came within the range of regular unnoticeable payments to be made by subordinate officials, it is, perhaps, possible that they were honestly paid, especially after the deaths of Cromwell and Henry VIII. Fuller gives two stories in illustration of this,—one of a prioress of Clerkenwell, who lived until 1571 (but of the payment of whose pension he adds nothing), and the other of an anonymous monk or nun, he knows not which, who received the last payment in 1608. Allowing the fullest force to every argument respecting these pensions, it is to be feared that few except the more compliant dignitaries, the abbots and priors, received anything like a sufficient maintenance; and that if they had no better resource even the pensioned monks and nuns must have been reduced to a condition of abject poverty and misery.

Doubts as to payment of these

Summary as to fate of monks

The general answer to the question, What became of the monks? must be that large numbers perished by the halter, and by the miseries immediately attendant on the dissolution;[4] that a good proportion turned to secular employments; that a few were fairly pensioned; and that the rest lived on as mere paupers, to whom one can only hope the world at large was more just and feeling than those who took an active part in the dissolution.

2. The next question which we have set ourselves

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[4] Fuller instances Sir William Weston, Prior of the Knights Hospitallers, who died of grief the day after his house was dissolved. Old men of strong feelings were very likely to come soon to their end thus.

shortly to answer is, *What became of the monastic property?*

Annual value of lands, &c. seized by the King

The amount of this property has been variously estimated from the documentary evidence which exists as to the annual value of the various houses, and from an account of the jewels and plate received by the keeper of the King's jewel house. Speed reckoned the annual value at £171,312, 4s. 3¼d. Nasmith, in his edition of Tanner's Notitia, computed that of the larger houses at £142,914, 12s. 9¼d., which, with £30,000 added for the smaller houses, would be altogether £172,914, 12s. 9¼d., or nearly the same total sum as that given by Speed. Two valuations were made by order of Henry VIII., one before, the other after, the visitation, and the second being on an average one-third higher than the first, it can easily be believed that they were both much below the true amount, either through haste or through design. It is not, therefore, at all unreasonable to suppose that the annual value of the 1130 monasteries and hospitals of which the King took possession, was at the least £200,000. And, taking the penny of Henry VIII. to represent the shilling of Queen Victoria, this will come in modern money to the great revenue of £2,400,000.[5]

Value of silver and gold seized

In a previous page an extract was given from an account roll of the King's jewel keeper, from which it appears that the plate received from the monasteries was 14,531 ounces of gold, 207,635 ounces of silver gilt, and 67,000 of plain silver; to which is added £80,000 in money, equal to £960,000 in modern coin.

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[5] This sum seems large, but it is generally understood that the united annual revenues of three dukes and one marquis (made up in a large proportion of abbey lands) exceeds it.

According again to the modern value of the precious metals, this gold and silver plate, even when melted down, would be worth £126,883; which, added to the coin, would amount to £1,086,883. But no account is here taken of the vast number of precious stones which were taken by the visitors, and which had been used in the decoration of shrines, altar-vessels, reliquaries, book-covers, and crosses. These Cromwell had more in his view almost than the plate, and their worth must have been enormous. Some notion of it may be formed by the account given to us of the pillage of Becket's shrine, by Cromwell's special memorandum of the great emerald altar cross of St. Paul's Cathedral, and by the contemporary account which is extant of the jewels belonging to St. Cuthbert's shrine at Durham. How many hundreds of thousands of pounds these precious stones may have been worth no one now can tell. Leaving these out of our estimate, the modern value of the plate, with the produce of lead and glass turned into coin, will thus stand at £1,086,883, the modern representative of what was, practically, the ready money carried to the King's private coffers.

Untold value of jewels

A further calculation may be made as to the permanent value of the monastic estates, the annual value of which we have already seen. This may be made, not upon any conjectural basis, but upon that of an actual transaction between the King and Sir Richard Gresham, father of the astute merchant Sir Thomas Gresham, and a good authority on such a point. "May it please you to be advertised," he writes to Cromwell, "that where I have moved the King's Majesty to purchase of his grace certain lands belonging the House of Fountains, to the

Permanent value of the lands

value of £350 by year, *after the rate of twenty years' purchase,* the sum of the money amounteth to £7000."[6] From the original letters patent it appears that this great financier and merchant ultimately bought the lands for the sum of £11,137, 11s. 8d., so that he in reality paid at a still higher rate, or more than thirty years' purchase. Taking then this actual transaction, or rather Sir Richard Gresham's first offer, as the basis of our calculation, the £2,400,000 of monastic income which came into the King's hands, represents a capital amount of £48,000,000.

Contemporary valuation of land

Thus the property which the King confiscated amounted in value (taking estates, money, plate, and jewels) to at least fifty millions of pounds (£50,000,000), this being probably much below the real state of the case. This then is the sum we have to deal with in considering the question, What became of the monastic property?

Total value of property seized by the King

It is fair to say that some found its way back to the Church. As Henry VIII. had carried out (on a much diminished scale indeed) Wolsey's great minded plans at Oxford, so he also did the plans which that true reformer had laid for the increase of the English episcopate. Six new bishoprics were founded by the King, at Westminster, Oxford, Chester, Gloucester, Bristol, and Peterborough: the endowments of which, and of their chapters,[7] amounted to nearly £100,000 of modern money. Some of the old monasteries were also suffered to remain in something of their former

How much given up to the Church

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[6] Ellis' Orig. Lett., III. iii. 270.

[7] Adding also seven other chapters in cathedral churches which had been hitherto served by monks. They were Canterbury, Durham, Winchester, Ely, Carlisle, Norwich, and Worcester. These thirteen cathedrals are therefore called those of the "New Foundation." The remaining cathedrals had previously been served by secular canons, not monks.

splendour as collegiate churches; of which Beverley, Southwell, Manchester, Wolverhampton, and Ripon may be mentioned as examples. Some forbearance also was shown in some cases by not destroying the fabrics of churches, such as St. Alban's, Sherborne, Shrewsbury, Hexham, and others. It is possible that the intercessions of Cranmer, who wished that many monasteries should be turned into colleges, of Latimer, who desired to see at least one retained as a place of holy retirement in each county, and of persons in the neighbourhood of dissolved monasteries who wished to have the use of the churches, may have saved these few from destruction: and it is to the credit of the King in the midst of all his rapacity and sacrilege, that he did not turn a deaf ear to such appeals. With them must also be classed the successful appeal of Sir Richard Gresham in favour of St. Bartholomew's and St. Thomas's Hospitals; and a few grammar-schools which were founded by Henry VIII. may likewise be considered as fragments rescued from the millions of spoil which he took from religious uses. But after all such deductions are made, the amount of that spoil still remains at an enormous figure. The new bishoprics and chapters lessen it by a tenth of a million; but even one whole million deducted from the fifty would have been but a poor amount of restitution.

The King lost much of his spoils

The prodigality of Henry VIII. was so extravagant that, accumulate what he would of lands and treasure, he was always in need of money; but there can be little doubt that, in spite of a sharp, avaricious watchfulness on his part, much of the monastic property passed only nominally into his hands.

There is a letter from Cranmer to the King, dated January 24, 1546, which strongly illustrates this—

> "I beseech your Majesty," writes the Archbishop, "that I may be a suitor unto the same for your Cathedral Church of Canterbury; who, to their great unquietness, and also great charges, do alienate their lands daily, and, as it is said, by your Majesty's commandment. But this I am sure, that *other men have gotten their best lands, and not your Majesty.* Wherefore this is mine only suit, that when your Majesty's pleasure shall be to have any of their lands, that they may have some letters from your Majesty to declare your Majesty's pleasure, without the which they be sworn that they shall make no alienation; and that the same alienation be not made at other men's pleasures, but only to your Majesty's use. For now every man that list to have any of their lands, *makes suit to get it into your Majesty's hands; not that your Majesty should keep the same, but by sale or gift from your Majesty, to translate it from your Grace's Cathedral Church unto themselves.*
>
> "T. CANTUARIAN."[8]

But, on the other hand, significant stories have been handed down which show that what had been so easily acquired by the King was very easily parted with by him. Fuller says that the produce of the first confiscation, that of the lesser monasteries, was disposed of at once by grant, sale, and exchange, for the purpose of reconciling the upper classes to the further dissolution which was contemplated; and that "this was done by the politic counsel of the wise Lord Cromwell; not hoping that these small morsels to so many mouths should satisfy their hunger, but only intending to give them a taste of the sweetness of abbey-lands."[9] . . . "If ever the poet's fiction of a golden shower rained into Danaë's lap found a moral or real performance, it was now at the dissipation of abbey-lands. . . . It is certain that, in this age, small merits of courtiers met with a prodigious recompence for their service. Not only all the cooks, but the meanest turn-broach in the King's kitchen did lick his fingers."[1] He also gives the following illustrations of the reckless manner in which Henry VIII. made away with this property, which was professedly taken into his hands only that it might be put to better uses than it had been by the the monks themselves :—

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[8] Jenkyns' Cranmer, i. 319. [9] Fuller's Ch. Hist., ii. 211, ed. 1837.

"First. By free gift.—Herein take one story of many: Master John Champernoun, son and heir-apparent of Sir Philip Champernoun, of Modbury in Devon, followed the court; and by his pleasant conceits won good grace with the King. It happened two or three gentlemen, the King's servants, and Mr. Champernoun's acquaintance, waited at a door where the King was to pass forth, with purpose to beg of his Highness a large parcel of abbey-lands, specified in their petition. Champernoun was very inquisitive to know their suit, but they would not impart the nature thereof. This while out comes the King; they kneel down, so doth Mr. Champernoun, being assured by an implicit faith that courtiers would beg nothing hurtful to themselves; they prefer their petition, the King grants it; they render him humble thanks, and so doth Mr. Champernoun. Afterwards he requires his share, they deny it; he appeals to the King, the King avows his equal meaning in the largess. Whereupon his companions were fain to allot this gentleman the priory of St. Germain's in Cornwall (valued at two hundred forty-three pounds and eight shillings of yearly rent; since, by him or his heirs, sold to Mr. Eliot) for his partage. Here a dumb beggar met with a blind giver: the one as little knowing what he asked, as the other what he granted. Thus King Henry made cursory charters, and *in transitu* transacted abbey-lands. I could add how he gave a religious house of some value to Mistress ——— for presenting him with a dish of puddings which pleased his palate.

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[1] Fuller's Church Hist., ii. 249, ed. 1837.

"Secondly. By play.—Whereat he lost many a thousand pounds *per annum*. Once, being at dice, he played Sir Miles Partridge (staking an hundred pounds against them) for Jesus's bells, hanging in a steeple not far from St. Paul's in London, and as great and tunable as any in the city, and lost them at a cast. I will not (with some) heighten the guilt of this act, equal to that which 'cast lots on Christ's garments;' but sure, it is no sin to say, that such things deserved more serious and deliberate disposal.

"Thirdly. By exchange.—To make these chops, none were frighted with the King's power, but flattered into them by the apprehension of their own profit. For many lands of subjects either naturally bald, or newly shaven of their woods, were commuted for granges of abbeys, which like satyrs or savages, were all overgrown with trees and timber; beside other disadvantages, both for quantity and quality of ground, as enhanced for old rent. O! here was the Royal Exchange!

"Lastly. By sale at under-rates.—Indeed, it is beneath a prince (enough to break his state, to stoop to each virgate and rod of ground), pedlar-like, to higgle for a toy by retail; and all tenants and chapmen, which contract with kings, expect good bargains. Yet officers, entrusted to manage the revenue of the crown, ought not to behold it abused out of all distance in such under-valuations. Except any will say, 'He is not deceived who would be deceived, and King Henry, for the reason aforesaid, connived at such bargains; wherein rich meadow was sold for barren heath; great oaks for fuel; and farms for revenue passed for cottages in reputation.' But, for farther instruction, we remit the reader to that information, presented to Queen Elizabeth, by a man in authority (though nameless) of the several frauds and receipts offered the crown in this kind. But the motion rather drew odium on the author, than brought advantage to the crown; partly, because of the number and quality of persons concerned therein; and partly because, after thirty years, the owners of abbeys were often altered. And though the chamber be the same, yet, if the guests be a new company, it is hard for the host from them to recover his old arrearages. Yea, by this time, when the aforesaid information was given in, the present possessors of much abbey-land were as little allied to those to whom King Henry granted them, as they to whom the King first passed them were of kin to the first founders of those monasteries."[2]

Some lands given to founders

A less unjust and reckless disposition of the lands was the bestowal of them upon the representatives of those who had originally given them to the use of the monasteries. By ancient custom, as asserted by Edward III. to the Pope,[3] it was lawful for the families of founders to resume all lands bestowed for charitable and religious uses, if they were not applied to the purposes for which they were given. This seems to have been well known to the English gentry, and there are many letters which were written to Cromwell, claiming as gifts from the King, or as purchases on easy terms, the demesnes of monasteries founded by their ancestors. Fuller says that very few were thus disposed of; and that as so many of them had been originally founded before the Conquest, the descendants of the founders could not be discovered. But there is reason to think the principle was more recognised than he supposes. Much of the great possessions of the Percy family thus came to them—as the lands of Tynemouth Priory, founded by Robert de Mowbray, Earl of Northumberland—and this page is written close to the site of Breamore Priory, founded by Baldwin de Rivers about 1118, and granted to his descendant Edward, first Marquis of Exeter, in 1537. Many other similar cases could undoubtedly be found; though, how far this kind of "restoration" differed morally from less illegal spoliation may be an open question.

With a few illustrations of the manner in which Henry's ministers and others accumulated estates out of the confiscated lands we may conclude this part of the subject.

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[2] Fuller's Church History, ii. 249, ed. 1837.

[3] Rymer, iii. 135.

Cromwell's share of the spoils

Cromwell appropriated to his own share the rich Priory of Lewes in Sussex (including its cell of Melton-Mowbray in Leicestershire), the Priory of Michelham in the same county, that of Modenham in Kent, of St. Osythe in Essex, Alceter in Warwickshire, Yarmouth in Norfolk, and Laund in Leicestershire.[4] Sir Richard Cromwell, his nephew, one of the visitors, and great-grandfather of Oliver, received Ramsey Abbey, Hinchinbrooke Nunnery, Sawtry Abbey, St. Neot's Priory, and a house of Austin canons in Huntingdonshire, with Neath Abbey in Glamorganshire, and St. Helen's Nunnery in London.

Lord Audley's share

Lord Audley, Chancellor during the twelve most lawless years of Henry's reign, received *eight* priories and abbeys for his share, and then wrote to Cromwell asking to be allowed to purchase, at a nominal price, the Abbey of Walden in Essex, out of which his descendant in the reign of James I. built the magnificent palace, of which one wing, still magnificent, forms the present mansion of Audley End.[5]

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[4] Among Cromwell's private memoranda was one "To remember . . . myself for Launde." Illustrating this is a cringing letter from Thomas Frysby, a canon of that abbey, accompanying a present of six cheeses, with a message that Cromwell need not thank the abbot for them, and the following:—"Pleaseth it your good Mastership to call to your remembrance when ye lay here with us at Launde Abbey some time ye would take the pain to walk with me or my brethren about our business. . . ." It is pretty clear that he acquired a good acquaintance with the revenue of Laund when staying there, and made up his mind that "myself" should possess it.

[5] In Lord Campbell's Lives of the Chancellors he asserts that Audley asked for Walden because he "had sustained great damage and *infamy*" in the King's service. The words of the original letter appear to be "damage and *injury*." Dugdale says the house had no equal except Hampton Court in all England.

Lord Clinton's share

Lord Clinton, who afterwards married the mistress whom Henry had cast off for Anne Boleyn, received thirteen abbeys, including the rich ones of Croyland and Barking.

Cranmer not guiltless

Archbishop Cranmer gave way to the general temptation, begging to have the Priory of Shelford for his brother-in-law, clerk of his kitchen, the Grey Friars in Canterbury for Thomas Cobham, another relative, the Priory of Pontefract for John Wakefield, controller of his household, Croxden or Roucester for his "servant," Francis Basset, and Newstead for one Markham. He himself also became the possessor of Kirkstall Abbey, Arthington and Malling nunneries.[6]

The Russell spoils

Lord Russell, afterwards first Earl of Bedford, received the rich abbeys of Tavistock in Devonshire, Woburn in Bedfordshire, and Thorney in Cambridgeshire.

The Parr spoils

Lord Parr, afterwards Marquis of Northampton, appropriated the four priories of Edith Weston, Halsted, St. Mary du Pré, and Pipewell.

The Howard spoils

The Duke of Norfolk laid his hands upon as many as thirteen abbeys, nunneries, and colleges.

The Northumberland spoils

The Duke of Northumberland, at one time and another, swept into his estates the lands of eighteen monastic establishments.

The Somerset spoils

The Duke of Somerset emulated the example of the Duke of Norfolk, by appropriating the same number of houses, viz., thirteen.

The Duke of Suffolk's thirty monasteries

But the most astonishing of all such appropriations was made by the King's brother-in-law, and brother in profligacy, Brandon, Duke of Suffolk. This man, whose life was one scene of shameless living, became

[6] Jenkyns' Cranmer, i. 161, 174, 233, 263, 272.

the proprietor of no fewer than *thirty* monasteries, chiefly in Lincolnshire and Warwickshire.[7]

Such an enumeration of a few of those who profited by the dissolution of the monasteries reveals something of the rapacity which accompanied this national tragedy. If the new owners of the estates had endeavoured to promote in any degree the religious objects for which they had originally been intended, some excuses might have been offered for them, and their good deeds would have stood, perhaps, in the light of a condonation for what, if it was not sacrilege, was the very nearest approach possible to that crime.[8] But no good deeds are to be told of these men. They simply tried to build for themselves houses out of the property once dedicated to God's service: and if God's service was neglected anywhere it was upon the estates thus acquired. The original grantees of the lands seldom, indeed, prospered, and their estates either passed into other families or to distant branches of their own. Cromwell's property was wasted by his son; the Duke of Suffolk's last heirs died, not long after himself, both

None of the new owners did good with their wealth

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[7] The Duke of Suffolk (so ignorant that he could barely write his name) was as extravagant in his tastes as Henry himself, and probably impoverished himself like others of those named above at the "Field of Cloth of Gold." Shakespeare has a few pointed words on this subject,—

Abergavenny. I do know
Kinsmen of mine, three at the least, that have
By this so sickened their estates, that never
They shall abound as formerly.
Buckingham. Oh, many
Have broke their backs with laying manors on 'em
For this great journey.
Henry VIII. i. 1.

[8] The absolute inalienableness of Church property was not recognised by the mediæval Church: but on their election the heads of monastic and capitular bodies took an oath never to alienate the goods of which they were made trustees. The Council of Carthage [A.D. 398] prohibited alienations except with the consent of the bishops, and subsequent Canon Law still further restricted alienations. But the strictest law on the subject that was ever passed is that laid down in an English Act of Parliament, 1 James I. i., which incapacitates bishops from alienating their lands even to the Crown.

How ill it fared with their families

in one day; the Russell family has been notorious for its misfortunes; as was, for a long time, that of the Dukes of Norfolk; while the great estates of the Northumberland house have passed from one branch to another, ever begging an heir from the female line, and very rarely continuing the inheritance by a direct line of sons.

It is only within the limits of the present generation that the ancient Church lands confiscated by Henry VIII. have again begun to bear any important share in Church duties: but in the restitutions that are being made of their revenues to sacred objects—tardy and comparatively small as those restitutions are—lies the best ground of hope that the cloud which hangs over their possession is passing away. It may be that the nineteenth century may yet wash away the stains which came upon those lands by the bloodshed and profane lawlessness which attended their alienation from the Church in the sixteenth.

Some social results of the dissolutions

The social results which followed up so great a convulsion as the suppression of 1100 monasteries in a population not much over three millions, were too important not to be noticed. Most conspicuous of all such results were the increase of poverty, and the decay of learning; both of which are witnessed by bold contemporaries such as Latimer, and by the less partial of historical writers who lived near the time.

Increase of mendicancy

The impoverishment first of the bishops and parochial clergy, and afterwards the total ruin of the monks, created a vast number of beggars, partly through drying up the springs from which charity had hitherto flowed, and partly by throwing many labourers and artizans out of work. The monastic establishments maintained a large number of servants, labourers, workmen, and tradesmen, all of whom would be partly, and some wholly deprived of their accustomed industry and its reward. The effect on many districts was the same in its degree as if all the colleges in Oxford or Cambridge were to be suddenly ruined, the fellows and undergraduates turned adrift without money or goods, and the buildings half-destroyed. A large monastery was a market for much produce, and an employer of labour in many necessary branches of industry. Although it was the rule of all monks that labour should accompany prayer, their labours were most frequently (at least in later times) the labours of the cloister, not those of the workshop and the field. They studied much, supplied the country with books when printing was yet unknown, composed laborious works on Holy Scripture, theological and secular treatises, and spent their time generally in that kind of brain work which the ignorant put down as unproductive idleness. Many a modern artizan or tradesman, moving in a narrow circle, and used to much muscular exertion, would certainly set down the work of writing these pages as little better than idleness, and claim for themselves the special designation of "working-men." Such was, doubtless, the foundation of those charges of idleness brought against a studious, brain-working class of monks: and it was not considered that they who thus held large endowments were by that very brain work providing manual labourers with the employment which brought them bread. The brain workers were scattered to the winds without books, money, or means of carrying on their work; and the manual workers who had

Numbers of labourers thrown out of work

Monks themselves made beggars

hitherto supplied their wants were no longer required. Thus it is fair to think that if only half the monks were students, and the other half a kind of cloistered labourer, even fifty thousand gentlemen of some means and refinement cast into sudden beggary must have dragged down with them not a few thousands of those who had provided for their needs.

The cruel vagrant laws that followed

As a fact, it is found that the vagrant laws, which form so conspicuous a feature of Henry's reign, were exactly contemporaneous with the impoverishment of the secular and regular clergy: and a few words on these acts will not be out of place here.

The first of them [22 Hen. VIII. c. 12] was passed in 1531, and the second [27 Hen. VIII. c. 25] in 1536; and there is good reason to think that, like some other acts of this reign, they were principally drawn up by the King's own hand. In the first of these justices of the peace, mayors, &c., are enjoined to "make diligent search and inquiry of all aged, poor, and impotent persons which live, or of necessity be compelled to live, by alms of the charity of the people." All such persons are to be licensed to beg within certain appointed districts, and if found begging in any other place than that to which they are licensed, they are to be punished by imprisonment in the stocks for two days and two nights, receiving only bread and water for their sustenance during that time. This is severe enough treatment for "aged, poor, and impotent persons;" but if any such were found begging without a license "he shall be stripped naked from the middle upwards, and whipped within the town in which he be found, or within some other town, as it shall seem good. Or, if it be not convenient so to punish him"—if he was

Aged mendicants to be licensed with severe restrictions too aged and impotent perhaps, then—"he shall be set in the stocks by the space of three days and three nights."

Sturdy mendicants to be whipped

For beggars who were able to work, but were found living on alms, a far more severe punishment was ordered. Any such beggar when detected was to be brought before the justice of the peace, high constable, or other officer, and by him to be sent "to the next market-town or other place, and there to be tied to the end of a cart, naked, and to be beaten with whips throughout the same town, till his body be bloody by reason of such whipping." Then he was to be sent to the place where his settlement might be with orders to work, "and if he do not accomplish the order to him appointed by the said letter, then to be eftsoons taken and whipped, and so often as there be fault found in him, to be whipped till he has his body put to labour for his living, or otherwise truly get his living, so long as he is able to do so."

pilloried and mutilated

If such unlicensed sturdy beggars—they must have been sturdy to stand all these beatings, and yet be able to work—happened to be *scholars of Oxford or Cambridge,* shipwrecked men, proctors, *pardoners,* quack doctors, or fortune-tellers, they were to be punished by "whipping at two days together after the manner before rehearsed. And if they eftsoons offend in the same or any like offence, to be scourged two days, and the third day to be put upon the pillory, from nine o'clock till eleven the forenoon of the same day, and to have the right ear cut off; and if they offend the third time, to have like punishment with whipping, and the pillory, and to have the other ear cut off."

In spite of these dreadful provisions the poor could not all obtain work, and were still compelled to beg. The second of the above-named acts was therefore drawn up by the hand of this cruel lawgiver, in which provision was made that if a poor wretch who had been twice brutally mutilated for his poverty in the manner just described should be found begging a third time, he was "to suffer pains and execution of death, as a felon and as an enemy of the commonwealth."[9] And as a labourer or a student, or a pardoner, was very little likely to get employment when his back was striped with the wales of such frequent scourging, and his ears taken off by the butcher's knife, doubtless many must thus have been executed for the crime of mendicancy, even when all other means of keeping body and soul together had been cut off also. The House of Commons and the House of Lords must take their share of the responsibility for passing such acts, but the infamy chiefly rests with the King. The act was not mitigated until some years after Henry's death, but as one may be quite sure that it could not have originated in later reigns, so one may feel a confident hope that its severest provisions were enforced only under the tyrannical monster whose own blood-stained hand had written it in the Statute Book.

Capital punishment the last resource

The King's personal responsibility for these cruelties

In Latimer's sermons before Edward VI., he did

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[9] Mr. Froude has pointed out a similarity between the language of this statute and the ribald invective against the monks and clergy known as Fish's Supplication of Beggars. The latter says:—"Tie the holy thieves to the cart to be whipped, naked, till they fall to labour, that they by their importunate begging take not away the alms that the good charitable people would give unto us sore, impotent, miserable people, your bedemen." If the King borrowed his idea from this ribald tract, he did so in a further sense than was intended, for Fish's clients, as well as the clerical objects of his ribaldry, were to be "tied to the cart," &c.

Latimer on poverty of the lower classes

not hesitate to declare that the poverty with which the lower classes were then so terribly afflicted had arisen from the diversion of wealth to the higher classes which had taken place at the dissolution. In one well-known passage he describes his father as a yeoman who lived comfortably, educated his children, served the King, and gave to the poor, on a farm, the rent of which had been increased fourfold, so that his successor was a mere pauper in comparison.[1] In another passage he addresses the courtiers :—

> "I full certify you, extortioners, violent oppressors, ingrossers of tenements and lands, through whose covetousness villages decay and fall down, the King's liege people for lack of sustenance are famished and decayed, . . . you landlords, you rent-raisers, I may say you step-lords, you unnatural lords, you have for your possessions yearly too much. For that here before went for twenty or forty pound by year . . . now is let for fifty or an hundred pound by year. Of this too much cometh this monstrous and portentous dearth is made by man, notwithstanding God doth send us plentifully the fruits of the earth, mercifully, contrary unto our deserts. Notwithstanding, too much which these rich men have, causeth much dearth, that poor men, which live of their labour, cannot with the sweat of their face have a living, all kinds of victuals is so dear;—pigs, geese, capons, chickens, eggs, &c. These things with other are so unreasonably enhanced; and I think verily that if it thus continue we shall at length be constrained to pay for a pig a pound. . . . For if ye bring it to pass that the yeomanry be not able to put their sons to school (as indeed universities do wondrously decay already), . . . ye pluck salvation from the people, and utterly destroy the realm."[2]

In short, his sermons abound with social touches which give evidence that a grievous poverty had come upon the lower classes of England in the years succeeding the dissolution; and it is impossible not to associate the one with the other as cause and effect.

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[1] Latimer's Sermons, i. 93, ed. 1824.

[2] Ibid., 87, 91, 94.

Decadence of learning

Many nonsensical stories have floated down from the lips of the ribald Puritans as to the ignorance of the monks. Some of them are evident misunderstandings, as in the case of the famous "mumpsimus" and the "mulis et mulabus" fictions, so well exposed by Dr. Maitland.[3] But many are probably to be classed among the inventions which the Puritans so unscrupulously used when they wanted to blacken an adversary or make him appear ridiculous. In spite of all such tales, it is certain that the ruin of the monks was for a time the ruin of learning.

Here, too, Latimer spoke out plainly:—

> "In those days what did they when they helped the scholars? Marry! they maintained and gave them livings that were very papists, and professed the Pope's doctrine; and now that the knowledge of God's Word is brought to light, and many earnestly study and labour to set it forth, now almost no man helpeth to maintain them."[4]

The fact was that almost every monastery had its provision for several scholars at Oxford or Cambridge, and these were all annihilated with the confiscation of their property.

Schools neglected

"Truly," he says in another sermon, "it is a pitiful thing to see schools so neglected; every true Christian ought to lament the same; . . . to consider what hath been plucked from abbeys, colleges, and chantries, it is marvel no more to be bestowed upon this holy office of salvation. It may well be said by us that the Lord complaineth by His prophet: Domus mea deserta vos festinatis unusquisque in domum suam—'My house ye have deserted, and ye run every one to

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[3] Essays on the Dark Ages, p. 125.

[4] Latimer's Sermons, i. 61.

> his own house.' . . . Schools are not maintained; scholars have not exhibition. . . . Very few there be that help poor scholars, that set their children to school to learn the Word of God, and to make a provision for the age to come. . . . It would pity a man's heart to hear that that I hear of the state of Cambridge; what it is in Oxford I cannot tell. . . . I think there be at this day [A.D. 1550] ten thousand students less than were within these twenty years, and fewer preachers."[5]

It must be remembered that Latimer was by no means a *laudator temporis acti;* his whole soul was in the Reformation, and these comparisons of the time before and the time after the dissolution were wrung from him by the bitter contemplation of the result as it stood visible to his eyes.

Destruction of books

One great cause of this decay of learning was also to be found in the destruction of the monastic libraries. "The English monks," says Fuller, "were bookish of themselves, and much inclined to hoard up monuments of learning." But these treasures were scattered and destroyed, and the very time of which so much has been boasted as being that of the "revival of learning" was the time when books, that would now be worth their weight in silver and gold to scholars, were destroyed by the cart-load as utterly worthless, simply because men were too ignorant to appreciate their value. In 1549, John Bale, a vigorous anti Romanist, but a man of learning, wrote on this subject to Edward VI.:—

The extent of this in ten years

> "Covetousness," he says, "was at that time so busy about private commodity that public wealth in that most necessary and of respect was not anywhere regarded. A number of them which purchased those superstitious mansions, reserved of those library-books some to serve their jakes, some to scour

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[5] Latimer's Sermons, ii. 92; i. 267, 159, 246.

their candlesticks, and some to rub their boots; some they sold to the grocers and soap-sellers, and some they sent over sea to the bookbinders, not in small number, but at times whole ships full. Yea, the universities of this realm are not all clear in this detestable fact. But cursed is that belly, which seeketh to be fed with so ungodly gains, and so deeply shameth his natural country! I know a merchant-man which shall at this time be nameless, that bought the contents of two noble libraries for forty shillings' price: a shame it is to be spoken! This stuff hath he occupied instead of gray paper, by the space of more than these ten years; and yet he hath store enough for as many years to come. A prodigious example is this, and to be abhorred of all men, which love their nations as they should do. Yea, what may bring our realm to more shame and rebuke, than to have it noised abroad, that we are despisers of learning? I judge this to be true, and utter it with heaviness,—that neither the Britons under the Romans and Saxons, nor yet the English people under the Danes and Normans, had ever such damage of their learned monuments, as we have seen in our time. Our posterity may well curse this wicked fact of our age, this unreasonable spoil of England's most noble antiquities."[6]

Whole libraries wantonly wasted

A relic to show what might have been

Those who have examined the grandest fragment that is left of these libraries, the famous MS. closet of the chapter library at Durham, will feel that these words of Bale do not at all exaggerate the value of what was lost: and as the mind travels from the carefully treasured volumes in that well-kept cathedral to the ruins of Glastonbury or Fountains, it will echo his words with melancholy indignation.

The destruction of libraries, the decay of the universities, and the habits of "unstudiousness" that grew up among the clergy in consequence, were one fruitful source of the subsequent troubles which fell upon the Church from the pestilence of ignorant

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[6] Declaration upon Leland's Journal, 1549.

Puritanism which broke out within her walls, and prostrated her vital powers for so long.

Summary of social results following the dissolutions

The social results of the dissolution may then be summed up in a few words. A large body of almost starving people was formed by the ruined monks, and those who had been maintained by them, either in labour or charity. Rents were enormously raised by those to whom the monastic lands fell by grant or purchase, the new lay landlords exacting three or four times as much as had been required by the old Church landlords. The poverty of the poor, and the wealth of the rich, drew away class from class, and introduced that disintegration of society which caused so much trouble in the seventeenth century. The schools of the monasteries were not efficiently replaced by the new foundations which were substituted for them, the universities themselves were far less frequented than formerly, and solid learning was replaced by superficial, few devoting themselves to real study. The recuperative power of the English character enabled it to withstand the force of this social convulsion, but not immediately: and even when poor-laws were substituted for almsgiving, Elizabethan mansions for monastic houses, classical elegance for scholastic solidity, printed plays and sonnets for manuscript tomes of theology, it did not at once bring conviction to all minds that England had been much of a gainer by the dissolution of the monasteries.

And on the whole question it may be said that we must ever look back with shame on that dissolution, as on a series of transactions in which the sorrow, the waste, the impiety that were wrought, were enough to make angels weep. It may be quite true that the monastic system had worn itself out for practical good; or at least that it was unfitted for those coming ages, which were to be so different from the ages that were past. But slaughter, desecration, and wanton destruction, were no remedies for its sins or its failings: nor was covetous rapacity the spirit of reformation. A blot and a scandal were indelibly impressed upon our history, and every bare site, every ruined gable, is still a witness to what was nothing less than a great national tragedy.

CHAPTER VII

REFORMATION OF LAY GRIEVANCES AGAINST THE CLERGY

[A.D 1529– A.D. 1535]

SEVERAL important subjects have been set aside in the preceding chapters to prevent the narrative from becoming embarrassed, it being impossible to give clear views of history in the form of annals. The reader is now, therefore, asked to go back again, and after a cursory review of earlier events, to trace out a group of laws passed during the ten years which followed the fall of Wolsey, some of which were directly, and some indirectly associated with the progress of the Reformation.

§ 1. Alleged Extortions of the Clergy

Discords between clergy and laity in London

In proceeding to do so, it will be right first to observe a strong shadow of discontent with the state and administration of ecclesiastical laws which was thrown over the Church in London about the time when Wolsey's power was beginning to expand. The event has been grossly misrepresented for party purposes, but it shows there was much discord between clergy and laity about comparative trifles.

There are frequent indications indeed that the clergy had then, as in later times, a large body of opponents among the tradesmen of the metropolis, always ready to make their opposition as obnoxious as possible, and influenced by their prejudices to an extent inconsistent with the principles of justice, and even of ordinary fair-play. A well-known instance of the kind, now to be narrated, is the case of Richard Hunn, a London tailor, of whom Foxe has made a martyr, but whose true story is known, through a close investigation which it underwent at the hands of that experienced judge Sir Thomas More, who says he "knew this matter from top to toe." Stripped of its martyrological sensationalism, that story offers a good illustration of the state of feeling in 1514-1515, and is as follows:—

Hunn's case, A.D. 1515

Hunn's child, Stephen, died in infancy, in the parish where it was put out to nurse, upon which the usual mortuary fee (equivalent to the modern burial fee) was required by the clergyman of the parish. This fee was ordinarily paid in kind, not in money, and by long established custom consisted of the second best horse or other animal in the deceased person's possession, if rich, or the garment that he last wore, if poor. In the case of an infant, the mortuary fee was the "bearing sheet," which Hunn, the father, refused to deliver up to the clergyman, or any equivalent for it, requiring him to render his services gratis; a proceeding of which the tailor himself had probably never shown an example. On this refusal, Hunn was sued for the fee in the proper court of law, that of the Bishop of London's official, or ordinary. Hunn

Hunn is sued for a mortuary fee

stirred up a great agitation about this suit, and openly used language among his acquaintances which was accounted heretical, interlarding his speeches, also, with virulent abuse of the clergy. For this he was called before Fitzjames, the Bishop of London, and he ultimately acknowledged that although the words charged against him were not exactly those he had used, yet they represented truly the substance of what he had said. Before, however, Hunn had been brought to acknowledge his fault, he had begun a cross action for præmunire against the clergyman who had sued him for the fee, on a plea that the suit was laid in a court which derived its jurisdiction from a foreign authority,[1] an action at once overruled by the judges, the spiritual court being declared to have full cognizance of the question. Hunn had been imprisoned by the bishop (in the ordinary course of his jurisdiction) in one of the towers of old St. Paul's, commonly used for such a purpose, and invidiously called the "Lollard's" Tower. The adverse decision of the Westminster judges, the total failure of his litigious schemes, and probably some shame at the position into which he had brought himself preyed upon the mind of the man, and he hung himself from a beam of the chamber in which he was confined. The coroner's jury returned a marvellous verdict, which extends over several pages of Foxe's volume, and which is more like a French *acte d'accusation* than a verdict, and the upshot of which is a finding of wilful murder against the judge—the Bishop of London's chancellor, and the officers in

Is also imprisoned for abusive and heretical language

Launches an action against the clergyman

Commits suicide

Factious verdict of coroner's jury

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[1] Bishop Burnet represents this case to have been carried into *Wolsey's* court as legate: but Wolsey was neither cardinal nor legate until many months later, on September 10, 1515.

charge of Hunn during his temporary imprisonment. One of these officers or constables considering his own life to be in danger made a "confession," in which he supported the accusation against the chancellor, Dr. Horsey:[2] but there was clear evidence that Hunn had expressed a determination to kill himself, and that the confession of the officer in question was extorted after repeated assertions to the contrary, as well as under the influence of fear and (apparently) torture, for the bishop writes that it was "made by pain and durance." The chancellor being committed for trial, an appeal was made by the bishop to Wolsey, for his interest towards obtaining the removal of the trial from London to some more impartial place; "for assured am I," he adds, "if any chancellor be tried by any twelve men in London, they be so maliciously set, 'in favorem hæreticæ pravitatis,' that they will condemn any clerk though he were as innocent as Abel." The matter came before Parliament and before the King, and the entire innocence of Dr. Horsey was so clearly made out that the attorney-general was directed to withdraw the indictment, and to make a public acknowledgment when Dr. Horsey was called on to plead to it in the court of King's Bench, that there was no true ground for the charge laid against him.[3]

Unfairness of juries towards the clergy

Strange excitability of Londoners

No doubt the spirit shown towards the clergy by the citizens may be accounted for in a great degree by that singular excitability for which Londoners as a body have always been so conspicuous. It seems as if the mere cry of a foolish apprentice was enough to arouse the whole city to a state of rebellion against order and authority, notwithstanding the bitter experiences which such irritability had brought. A short time after the agitation against the clergy, on account of Hunn's death, the same restless spirit which had stimulated the proceedings against Dr. Horsey, and the bad feeling by which it was accompanied towards the clergy in general, was excited against the foreign residents in the city. The Venetian ambassador Giustiniani gives a graphic account of the attack made on the foreigners on "Evil May Day," 1517,[4] and none seem to have considered themselves safe. It was led on by a tradesman named Lincoln, and a mendicant friar of St. Mary Spital, named Beale, both of whom were afterwards hung for the crime, with eleven other citizens. Yet there seems to have been no real cause for the ill-feeling against the foreign residents in the metropolis, and no justification whatever for the lawlessness of the citizens in this case more than for their disregard of reason and justice in the case of Dr. Horsey.

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[2] "Otherwise called William Heresie," says this atrocious verdict, apparently joking over a matter of life and death.

[3] More's Works, p. 297.

Their attack on foreigners
A.D. 1517

Agitation sermons at St. Paul's Cross
A.D. 1515

This excitability seems to have been much stimulated by the sermons at Paul's Cross, as will often be observed in the history of the period. A very important controversy, indeed, arose out of one of these sermons about the very time that Dr. Horsey was liberated from his imprisonment, and considerable influence was exercised by it on the subsequent course of the Reformation. Some time while Parliament was sitting, in the year 1515, the Abbot of Winchelcombe[5] preached a political sermon at the

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[4] Brewer's Calend. St. Pap., ii. 3204.

[5] The last four abbots were named Winchelcombe, Twynyng, Kederminster and Moxslow: perhaps it was the first of the four.

The Abbot of Winchelcombe's extravagance

Cross against an Act of Parliament recently expired (after being law for about a year) by which the secular courts had been enabled to pass judgment upon all persons in orders, except those in the three holy orders of bishop, priest, and deacon, without the intervention of any ecclesiastical court. Although the Act had expired, the Abbot thought proper to declare that it had been contrary to the laws of the Church, for that the minor orders were *holy* orders as well as the three higher grades of the ministry, and that all alike were exempted by decree of the Church from the cognizance of temporal courts in criminal causes. He further added that all who had assented to that Act had incurred the censures of the Church, a reckless condemnation of the three estates of the realm. This sermon was published, and naturally gave great offence in Parliament, and the secular members of both Houses petitioned the King to repudiate the principle contended for by the Abbot. Henry accordingly held a special council at the Palace of Blackfriars, that the subject might be argued before him and his advisers. Some doctor (not named in the only contemporary report handed down to us,[6] but said by later writers to have been the abbot himself) defended the position taken up by the extreme party, whose principles were represented in the Paul's Cross sermon; while Dr. Standish,[7] Warden of the Franciscans in London, and provincial of the order, took up the other side. The Abbot, or his representative, claimed to have a con-

brought before the King by Parliament

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[6] Keilway's Reports, not written until sixty or eighty years afterwards.

[7] Afterwards Bishop of St. Asaph, and one of the three bishops by whom Cranmer was consecrated. Erasmus ridicules him with great bitterness, having had some theological discussion with him about the Greek of the New Testament. Knight's Erasmus, 267-285.

ciliar decree on his side, and also quoted from Holy Scripture the words "Touch not mine anointed" [Ps. cv. 15] as a Divine sanction of the principle he was defending.[8] Standish maintained that all such decrees were not practically observed, nor morally binding when they went against the general good of the whole nation, and dismissed the argument from "Nolite tangere Christos meos," by saying that they were not the words of Christ, and referred to God's people at large in the midst of a wicked and persecuting world. When the discussion was brought to a conclusion, the Lords present desired certain bishops to compel the abbot to recant his opinions publicly, which they declined to do, declaring themselves unconvinced by the arguments of Dr. Standish, and fearing to go against a conciliar decree.

Convocation charged with rebuking Standish

Some time afterwards it was alleged that Convocation had called Standish to account for what he had said before the King, which was of course privileged. Their official reply to this serious accusation—a reply made to the King himself at Baynard's Castle—is of sufficient importance to be given in detail, as it was the foreshadowing of that discussion respecting the royal prerogative which ended in the "Act of Submission:"—

Substance of their defence A.D. 1516

"1. They deny the charge, but say they summoned Standish for that 'long since the time of his said counsel given to the King's Grace, as well in open lectures as in other open places, he read, taught, affirmed, and published divers matters which were thought not to stand with the laws of God and the determination of Holy Church,' by which it was thought he had fallen into the suspicion of heresy.

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[8] Precisely the same application of this text is found in Dean Colet's Sermon before the Convocation, in 1511. See page 17 of this volume.

"2. To the charge of having ministered in the Convocation to Dr. Standish certain articles contrary to the King's prerogative, they answer that they neither said, nor did, nor intended to do any prejudice to the Crown, and they trust the King will not punish them on any such sinister information.

"3. They affirm that no articles were delivered to Standish in writing, although they were conceived in writing.

"4. As to the charge that articles were ministered to him in the Convocation House, specially that clerks should not be convented before lay judges, they never held any such communication with him, 'for if it were the thing that needed any reformation, yet the said prelates well perceive that it could neither be holpen nor hurted by the said friar; and so they should have but lost their time in ministering any such article or matter to him. And they say that they think the said friar, examined upon his oath, will not say that there was any such matter moved unto him in the said Convocation House. And if he would so say, yet the said prelates trust that the King's Grace will give more and better credence to all their sayings, *in serbo sacerdotii*, than to the only saying of one friar. And if the said prelates had said in the Convocation House that the conventing or punition of clerks should not appertain to secular judges (as they said not, nor in any wise intended to treat of that matter), yet they think themselves, though they had so done, not to have fallen thereby into any penalty of any law, statute, or act, forasmuch as at sundry times, divers of the parliament speak divers and many things not only against men of the Church, and against the laws of the Church, but also sometimes against the King's laws, for the which neither the King nor the prelates of the Church have punished them, nor yet desire any punishment for their so speaking.'

"Wherefore the said prelates think that it may be as lawful to them in the Convocation House to common and treat of things concerning both laymen, and also the laws of the land (though they so do not), without falling into any penalty of any statute or act, or yet any other punishment in that behalf, as it is for them of the parliament to common or treat of any causes against the clergy and laws of the Church.

"5. They are bound on their oaths to make investigation of heresy, and for that cause alone Standish was summoned before them.

"6. That the demanding of such a question as this, 'An exemptio clericorum sit de jure divino, an non,' affirms neither one nor the other, and cannot therefore be contrary to the King's laws.

"7. In conclusion, they beseech the King, as they have ever been loyal subjects, nor impeached nor intended to impeach his prerogative, not to credit any sinister information against them, but suffer them to keep their Convocation as his predecessors have done."[9]

After further argument, in which Dr. Voysey[1] took part with Standish, it is alleged that the King wound up the discussion with the following short oration :—

An alleged speech of Henry VIII A.D. 1516 Cf. p. 246

"By the permission and ordinance of God we are King of England, and the Kings of England in times past had never any superior, but God only. Therefore know you well that we will maintain the right of our crown, and of our temporal jurisdiction as well in this, as in all other points, in as ample manner as any of our progenitors have done before our time. And as for your decrees, we are well assured that you of the spirituality go expressly against the words of divers of them, as hath been shewed you by some of our council; and you interpret your decrees at your pleasure, but we will not agree to them more than our progenitors have done in former times."

But these royal words appear to be the rhetorical effort of an historian, though fairly enough representing what might have been said on the occasion.

Long as this narrative may have seemed, it was desirable not to curtail it, as we have thus given to us so full an illustration of the relations which existed between the clergy and the rising middle classes at the early dawn of the Reformation.[2] The bitterness was not of a temporary or transient kind, and it is probable that it existed as strongly at any period during the next fifteen years as it is, again, clear that it did when the Church legislation of Henry's reign began in 1529. At the same time it cannot fail to be observed that much unfairness was exhibited on the part of the laity—much of that unfairness towards the clergy which the middle classes as a body have so often since shown.

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[9] Brewer's Calend. St. Pap., ii. 1314.

[1] It is somewhat singular that Voysey was another of Cranmer's consecrators.

Middle classes object to fees

The payment of fees and other dues to the clergy and to the officers of ecclesiastical courts was indeed a standing grievance with the mercantile classes, and it became the first subject of legislation in that remarkable tide of law-making for the Church which set in after Wolsey's fall.[3] A complaint of the House of Commons on this subject has been given in the fourth chapter of this volume, and also the reply of Convocation and of Archbishop Warham.[4]

A modern historian, who has done his best to exaggerate everything that would tell against the clergy, says that—

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[2] The following note respecting these transactions exists as a colophon to the Journals of the House of Lords, Doctor Taylor being Clerk of the Parliament as well as Prolocutor of the Convocation. It is in his handwriting. "Dissoluta fuit hæc convocatio, xxi Decembris 1515, Johannæ Taylor juris pontificii doctore prolocutore, et eodem tempore clerico parliamentorum domini Regis. In hac convocatione et parliamento periculosissimæ seditiones exortæ sunt inter clerum et sæcularem potestatem super libertatibus ecclesiasticis, quodam fratre minore nomine Standisch omnium malorum ministro ac stimulatore." Brewer's Calend. St. Pap., ii. 1312.

[3] In the fifteen years between 1529 and 1545, as many as 113 Statutes relating to the Church passed through Parliament. For twenty years before 1529 there had only been three slight legislative references to the clergy; and in the fifty years after 1545 only ninety-six such Acts were passed, even including the numerous statutes of repeal and revival and many of a kind affecting secular interests only.

[4] See pages 215, 224.

Picturesque history

> "In six weeks, for so long only the session lasted, the astonished Church authorities *saw bill after bill* hurried up before the Lords, by which successively the pleasant fountains of their incomes would be dried up to flow no longer; or would flow only in modest rivulets along the beds of the once abundant torrents."[5]

The true historical facts

Picturesque history is seldom to be trusted, and an examination of the Statute Book will show that the "bill after bill" which were so "hurried up before the Lords," amounted in number to *three*, viz., one regulating the fees for proving wills, a second regulating the payment of mortuaries, and a third for checking pluralities and clerical farming. As very few of the clergy received any fees for proving wills, and as pluralities flourished and abounded down to our own century with as much vigour as ever, and as mortuaries were only an occasional and by no means abundant "fountain of income" to the clergy; and above all, as there is no historical ground whatever for supposing the "Church authorities" to have been "astonished" at such legislation, it is evident that this historian's imagination provides a very "abundant torrent" for the supply of his history. The real facts may be shortly stated:—

Probate Act A.D. 1530

1. An Act was passed [21 Hen. VIII. cap. 5] declaring "what fees ought to be taken for the probate of testaments." After reciting some reforms made in this matter in the reigns of Edward III. and Henry V., this statute enacts that after April 1, 1530, no fees shall be taken for administration where

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[5] Froude's History of England, i. 226.

the property of the deceased was under the value of 100 shillings: three shillings and sixpence only for probates where the value was above that sum and under £40; and five shillings where the goods were above this latter value. As a provision is inserted permitting those bishops and their officers who had been accustomed to take smaller fees than these to continue to do so, it does not seem as if the grievance was one that bore very hardly upon the laity.

Mortuaries Act A.D. 1530

2. An Act was also passed [21 Hen. VIII. cap. 6] declaring "where mortuaries ought to be paid, for what persons, and how much; and in what case none is due." The preamble of this Act alleges as the reason for passing it, that ambiguity and doubt had arisen as to "the order, manner, and form of demanding, receiving, and claiming of mortuaries, otherwise called corse presents," and that the greatness and value of some that had been lately taken was "thought over-excessive to the poor people and other persons of this realm." Its enacting clauses simply regulate the amounts to be paid, and declare that they shall only be claimed where the custom is already established. But after these there is a clause permitting the clergy to receive any amount of money or goods bequeathed to them by the deceased for their own use or that of the Church. It was one of those statutes which have sometimes been passed for the purpose of soothing agitation or putting an end to discord: but it may be seriously doubted from its terms whether there was really any general grievance that required it, or whether any one benefited by its addition to the Statute Book.

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[6] A constitution of Archbishop Meopham, 200 years before, enacts precisely the same thing. See Lyndewood, p. 170.

Pluralities Act, A.D. 1529

3. The Pluralities Act [21 Hen. VIII. cap. 13], passed in the same session, was chiefly aimed at the dispensations for pluralities granted by the Pope. Little attempt was made actually to put an end to the evil system of pluralities, for provision was made respecting the purchase of licenses from the King, which were to have precisely the same effect as those from the Pope. The exceptional cases in which such licenses might be granted amount to the number of some hundred, and royal chaplains were allowed to hold any number of benefices. These licenses provided a new source of revenue for the Crown; but, perhaps, the real object of the Act was that of preventing the Pope from conferring English benefices on non-resident foreigners.

These Acts did not much affect incomes of clergy

It cannot be said that any of these Statutes were of such a character as to indicate that much was taken from the "riches" of the clergy by means of their operation, or much added by them to the wealth of the laity. What they do indicate is, that there was a large class of the latter who were hankering after Church property, as the King himself was, and that when the "great bell-wether" of the flock—as More (swimming with the tide) shamefully called his old friend and patron—was down, it was hoped that the confiscation might be safely and effectually carried on. Bishop Fisher is said to have read the signs of the times with a prescient eye, and when he complained that such attempts at spoliation showed how "the faith" was "lacking" in the country, he declared also that he believed these to be only the beginnings of a spoliation which would eventually leave the Church shorn of nearly all her possessions.

The spirit of the times is also strongly illustrated

Act confirming payment of Tithes A.D. 1535

by the refusal of many persons to pay tithes. This practice grew to such a head as to necessitate an Act of Parliament on the subject. As this was passed in the same year, 1535, in which the King began to make his assault upon the monasteries, there can be little doubt that the people at large were encouraged by his measures to think that Church property in general was to be abolished : but however this might be, the preamble of the Act [27 Hen. VIII. cap. 20] shows that many were trying to confiscate it on their own account. "Forasmuch," it alleges, "as divers numbers of evil-disposed persons inhabited in sundry counties, cities, towns, and places of this realm, having no respect to their duties to Almighty God, but against right and good conscience, have attempted to subtract and withhold, in some places the whole, and in some places great parts of their tithes and oblations, as well personal as predial, due unto God and Holy Church ; and, pursuing such their detestable enormities and injuries, have attempted in late times past to disobey, contemn, and despise the process, laws, and decrees of the ecclesiastical court of this realm in more temerous and large manner than before this time hath been seen ;" that, therefore, it is enacted that any member of the privy council, or any two justices of the peace, shall have power on proof of such contempt of the ecclesiastical court to commit the offender to prison without bail until he obey the decree of that court.[7]

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[7] In an Irish Act to the same purport, but passed seven years later [A.D. 1542], the preamble goes on to say that the tithe-payers have been encouraged in their conduct by the fact that *lay* tithe-holders could not as the law had hitherto stood recover in a court of law. This is a significant indication of the feeling of the day : since lay tithe-holders only came into existence with the dissolution of the monasteries. Till familiar, they must have seemed monstrosities.

Such an act in support of the rights of the clergy (for *lay* tithe-holders were not yet known) must be balanced against others of the same period, which seem to the superficial reader of history to prove extortionate habits on their part. It shows how great difficulty they had in asserting their just rights, and how some of the laity were endeavouring to defraud them of their very livelihood for their own profit.

General spirit of greed not proved against clergy

In short, we may conclude that this charge of extortion brought against the clergy of the sixteenth and preceding centuries is founded on very insufficient data. Here and there a single black sheep among them has been taken as a type of the whole flock; and if one priest caused the velvet cloak of a deceased person to be seized as his mortuary fee, prejudiced historians have written as if all the clergy were laying violent hands upon all the velvet cloaks of all deceased laymen. It was a time of discontent, a time too when all were suffering from the taxation rendered necessary by the selfish wars and extravagance of the Crown. Men were easily irritated; the clergy are always a good mark, and a comparatively easy prey. The King had set an example of making all that could be made out of them, and the subject was only too ready to follow the royal lead. Thus men willingly laid hold of every pretext they could to stint the clergy of their just and reasonable money rights, and the more unprincipled of men exaggerated all the faults that they could find in their priests for the sake of justifying their own injustice. It was not the last time that such a course of conduct was exhibited by a large class of half-hearted churchmen: and until the clergy can live on air,

Their money rights an easy prey to the laity they will always have to suffer this kind of annoyance in time of any great ecclesiastical crisis.

§ 2. The Benefit of Clergy

A constitutional change of great importance was, however, made at this time in regard to Church discipline, and one which was of advantage to the clergy, by abolishing, to a certain extent, a legal fiction which had often brought an unnecessary and unjust odium upon them as a class. This was the modification of the law respecting "Benefit of Clergy."

Principle of the system

It had been a principle of English law, time out of mind, that the persons of the clergy were sacred, and (so long as they remained clergy) punishable only by ecclesiastical law. If they were to suffer death they must previously be degraded from their orders and suffer as laymen; and under no circumstances were they to go without just punishment for any offences of which they were convicted.[8]

Its expansion and perversion

This principle was extended in the Middle Ages, so as to be brought to bear on a large number of persons who were not in holy orders, nor even in any of the minor orders, such as those of sub-deacon, reader, &c. At first this extension took place by permitting persons accused of crime (perhaps very unjustly) to come under the shield of the Church by taking minor orders, thus making these orders answer the purpose of a city of refuge. Eventually the walls of this city of refuge were so extended as to embrace all who, being able to read Latin (a sign of clerical or "clerkly" accomplishment), were claimed by the Church as clerks.[9] It was a custom not unlike that of "sanctuary," by which every criminal was safe from death at the hand of the law so long as he continued in a consecrated place. There were times in history when such ecclesiastical privileges were a great bulwark of liberty for the laity as well as for the clergy; and when, if the keys of mercy had not been held by the Church, few would ever have found the door opened to them.

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[8] Gibson's Codex, Tit. xlix. cap. 5.

A merciful provision for the benefit of the laity

Too great leniency of ecclesiastical courts

But it was a system capable of very ready abuse. Laymen gradually enlarged their claims to the Benefit of Clergy, and as the ability to read a verse or two of the Latin Scriptures became more common, so the number of criminals who claimed to be clerks was vastly increased. Hence arose three great evils to the clergy and to the Church at large. (1) First, The ecclesiastical courts exercised too great leniency towards those who were brought before them, partly because of their naturally merciful rule, and partly because they were overburdened and encumbered

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[9] This privilege of escape from civil punishment by "reading" was only entirely disused and abolished by a statute originated by Sir Robert Peel. The following is a note on the subject by the learned Bishop Gibson. "At the common law at first (saith Hobart) the Benefit of Clergy was not allowed but to clerks in orders: but afterwards (as appears from 4 Hen. VII. cap. 13, which speaks of it as commonly allowed to others) it was extended to all that could read; and therefore Hobart calls it a 'refuge provided by common law in favour of learning to save the life of an offender literate, in certain cases.' And Keyling, in the case of Lisle, adds, 'That in those days, when few were bred to literature but who were actually in orders or educated for that end, the allowing clergy to a layman that could *read* seemed very much in favour of the clergy in preserving its succession by exempting such who were *capable* of receiving any orders when there was occasion for their service, which favourable construction of the Statutes, in not confining the Benefit of Clergy to those who were *actually in orders* but who were *capable* of them, received constant approbation and allowance.'" A full view of post-Reformation law and practice respecting the Benefit of Clergy is given by Blackstone in the 28th chapter of his fourth book.

CHAP VII

with cases in which full investigation was beyond the power of the legal machinery that was placed in the hands of ecclesiastical judges. (2) Secondly, Criminals escaped too easily, in many cases simply because the bishops had neither sufficient prison room in which to confine their prisoners, nor sufficient funds with which to maintain them. For all who received the Benefit of Clergy were to be imprisoned —perhaps for life—at the cost of the bishop instead of at the public charge, an extravagant burden to throw upon a judge, and one likely to lead to the easy "purgation" or acquittal condemned in statutes relating to the subject. (3) Great scandal was brought upon the Church by this easy escape of criminals, and it seemed as if crime was thus encouraged by the clergy. Still further scandal was caused by the unjust assumption (made to some extent by contemporaries, and to a much greater extent by historians) that the great body of criminal "clerks," under this system, were clergymen, the fact being that they were laymen.

Escape of criminals from conviction

Which brought scandal on Church

Restraint of Benefit of Clergy A.D. 1350

This custom was first really regulated by statute in the year 1350, although it had been confirmed by several previous Acts.[1] In that year an Act was passed [25 Edw. III. St. iii. cap. 4] which enacted that (with the exception of those convicted of treasons and felonies which concern the Crown) all convicted clerks shall be delivered up on demand to their ordinaries. Thus the privilege could not be pleaded in bar of trial, but only in bar of secular punishment, that is, after conviction. In the year 1488 another Act was passed [4 Hen. VII. cap. 13], which restrained the privilege still further, enacting that it should only be used once by those who were not actually in holy orders; that clergymen pleading it should produce their letters of orders or an equivalent certificate; and that persons not in orders yet gaining the Benefit of Clergy should be branded on the brawn of the left thumb with the letter T for theft or M for murder.

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[1] 52 Hen. III. c. 27 [A.D. 1267], 3 Edw. I. c. 2 [A.D. 1275], 9 Edw. II. c. 16 [A.D. 1315], 18 Edw. III. c. 1, 2 [A.D. 1344].

Restrictions of Reformation date

The Reformation Statutes respecting Benefit of Clergy are those of the years 1531 and 1536 [23 Hen. VIII. cap. 1; 28 Hen. VIII. cap. 1], the latter of which, being a temporary Act, was confirmed and made permanent by a later one of 1541 [32 Hen. VIII. cap. 3].

The first of these Statutes enacted that no person convicted of petit treason, wilful murder, sacrilege, burglary, highway robbery, or arson, should henceforth be allowed to plead the Benefit of Clergy in bar of judgment, but should suffer death as if they were no clerks. A special exception was, however, made in favour of all persons who were actually in holy orders, "that is to say of subdeacons or above." These were not to suffer until the bishop to whose custody they had been committed should see fit to degrade them from their orders, and deliver them over to the King's Bench for sentence of death to be passed upon them as laymen. By a clause in a subsequent Act of the same year [23 Hen. VIII. cap. 9], murderers who were in holy orders, and were not degraded by the ordinary, were to be kept by him in perpetual imprisonment.

The Statutes of 1536 and 1541 abolished this distinction between clergymen and laymen, and enacted "that such as be within holy orders shall from henceforth stand and be under the same pains and dangers for the offences contained in any of the said statutes, and be used and ordered to all intents and purposes, as other persons not being within holy orders."[2]

Practical abolition of Benefit of Clergy A.D. 1536

This ancient privilege of the clergy was, therefore, abolished in the year 1536, and has never been practically revived in their favour. It does not appear that they thought it worth their while to offer any resistance to its abolition, or at any time to press for its revival. The fact is that it was a privilege by which those actually in holy orders gained nothing; and, as far as they were concerned, its abolition was a mere technicality. The number of priests who committed murder or highway robbery was infinitesimal; and the only reason why the Church should interpose between them and their just punishment was that they might be degraded from their sacerdotal office before suffering for their crime. The clergy did not wish clerical murderers (when there were such) to escape from the gallows because they were priests any more than the laity so wished; and there is no evidence to show that any such ever did so escape. The privilege accorded by the custom of Benefit of Clergy was one which concerned the laity in a far greater degree than it concerned bishops, priests, and deacons. Its practical abolition was effected for the purpose of securing the efficient punishment of laymen's crimes rather than those of

Quietly acquiesced in by the clergy

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[2] Blackstone says that the distinction was revived by 1 Edw. VI. cap. 12, an act which relates to the Benefit of Peerage, "equivalent to that of clergy:" and this appears to have been the opinion of the judges on the trial of the Duchess of Kingston. The question is of no historical importance as the revival was never acted upon in any case of a criminal clergyman.

clergymen: and instead of that abolition bearing upon the latter as if a large proportion of them had been possible or actual criminals coveting its shelter, and being resisted accordingly, it was quietly acquiesced in by them as the abolition of a worn out privilege which was of no value to themselves, and which they did not think it right to retain for others even on the ground of mercy.[3]

§ 3. The Succession to the Crown

Princess Mary excluded from succession

When Henry VIII. had succeeded (by means of Archbishop Cranmer's most reprehensible contrivance) in substituting Anne Boleyn for Queen Catherine, a question immediately arose respecting the succession to the Crown of his daughter by the Queen, or of the child which he had in prospect (even before his marriage to her) by the Queen's supplanter. The divorce pronounced by Cranmer had the effect at once of bastardizing the Princess Mary; and there can be no doubt that the insults and provocations which she received at this time and for twenty years afterwards embittered her disposition, and further developed in her that Tudor mercilessness which she inherited.

and her nature embittered by insults

At the time when the divorce of her mother and father was pronounced, the Princess Mary was seventeen years of age, old enough to take in the circumstances of the case, and also to see that her interest as well as her sympathies were all bound up with her mother's side. Of course she became what a young girl must have become under such circumstances, a loving partizan. What mother, and what daughter, does not feel that this is what the daughter of so good and injured a mother ought to have been? Could a father or a brother wish that a girl of seventeen should have been otherwise?

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[3] The abolition of Sanctuary was a measure of the same character as the abolition of Benefit of Clergy. The privilege of "Sanctuary" was indeed a custom of very sacred origin, and might have been defended on high grounds, [See Gibson's Codex, Tit. l. cap. 1 for a valuable note on the subject], but it had been too much abused to be preserved in its mediæval form.

Declared to be illegitimate

The Princess had been separated from her mother, and told that for the future she would be considered as a natural daughter of the King, and must only use the name and style of "the Lady Mary," instead of that which she had hitherto used. To this she had boldly replied that she would not consent unless the King himself wrote to her to that effect; and she maintained her resolution until the year 1536, in spite of threats and humiliations.[4] Among the latter may be mentioned that of abolishing her separate establishment, and obliging her to find a home in that of her infant sister Elizabeth, the offspring of her mother's supplanter.

Her troubles gained sympathizers

It was not surprising that the harshness and injustice shown towards one who had so long been the acknowledged heir to the Crown should raise up many sympathizers and partizans. It helped to consolidate a strong feeling of reaction that had been aroused by the miserable divorce business which had just been concluded, and the onslaught upon the monasteries which was just beginning. That feeling of reaction was exhibited in various ways, and was henceforth irrepressible, notwithstanding the unsparing vengeance with which it was viewed by Cromwell and the King. Its first manifestation was, however, unfortunate for the credit of all concerned in it, being the superstitious or dishonest affair associated with the name of Elizabeth Barton, the nun of Kent.

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[4] Strype's Ecc. Mem. i. 224. See also her letter asking the King's forgiveness, abjuring the Pope and acknowledging her own illegitimacy, in State Papers, i. 455, 457. Her signature appears separately to the illegitimacy article as if extorted by much persuasion.

The Nun of Kent comes into notice

This young woman had been attracting attention for some years. She was subject to epileptic fits, and while under their influence gave utterance to some of those strange and solemn sounds which are often heard from persons so afflicted, and which might easily be mistaken for supernatural utterances by ignorant and superstitious bystanders. The clergyman of the parish,[5] Richard Masters, had been put in to farm the souls of it cheaply for Erasmus, and was too inferior a man to deal properly with such an outbreak of superstition as ensued. He eventually consulted Dr. Bocking, one of the canons of the Cathedral, and it appears as if the two entered into a conspiracy to make political and pecuniary capital out of the poor epileptic girl. It was made to appear, or did appear, that she was cured of her disease while kneeling before an image of the Blessed Virgin: and those who had made pilgrimages to see the supposed prophetess, now made them to see the wonderful image, the girl herself being received as a nun into the convent of St. Sepulchre at Canterbury. This was about the year 1528, shortly after which Bocking endeavoured (through Archbishop Warham), to bring her under

Made a tool of by intriguing men

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[5] Aldington in Kent, to which Erasmus had been presented by Archbishop Warham, but the spiritual charge of which he declined, accepting only a pecuniary charge upon it in the form of a pension paid to him by the actual incumbent.

the notice of Wolsey.[6] Not succeeding in attracting the attention of the Cardinal, Warham (himself a believer in the nun) placed some of her "prophecies" in the hands of the King, who referred them to Sir Thomas More: but More had no higher opinion of them than had Wolsey.

Her prophecies become treasonable

From this time the nun's prophecies began to take a more serious turn, and the results were ultimately of a very tragic kind. "After she had been at Canterbury awhile, and had heard this said Dr. Bocking rail like a frantic person against the King's Grace's purposed marriage, against his Acts of Parliament, and against the maintenance of heresies within his realm," she began to have visions and revelations respecting the King, the Cardinal (alive and dead), the Archbishop of Canterbury, and the public affairs with which they were associated. These drew to her persons who ought to have known better:—

Numbers resort to her

> "Divers and many, as well great men of the realm as mean men, and many learned men, but specially divers and many religious men, had great confidence in her, and often resorted unto her and communed with her, to the intent they might by her know the will of God; and chiefly concerning the King's marriage, the great heresies and schisms within the realm, and the taking away the liberties of the Church; for in these three points standeth the great number of her visions, which were so many that her ghostly father could scantly write them in three or four quires of paper."[7]

About midsummer in the year 1533, Archbishop Cranmer continues to write, he "sent for this holy maid to examine her; and from me she was had to Master Cromwell to be further examined there. And now" [Christmas of the same year] "she hath confessed all, and uttered the very truth, which is this: that she never had vision in all her life, but all that ever she said was feigned of her own imagination, only to satisfy the minds of them the which resorted unto her, and to obtain worldly praise."[8] After this disclosure the nun and five monks—Bocking, Rich, Rysby, Dering, and Goold—were sent to the Tower, where some or all of them were tortured; their extorted confessions unravelling a real or imaginary conspiracy for the death of the King, and for placing the Princess Mary on the throne. The Countess of Salisbury, and others of the nobility near to the royal blood, were implicated, and so also were Bishop Fisher and Sir Thomas More.

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[6] Ellis' Orig. Letters, III. ii. 137.

[7] Jenkyns' Cranmer, i. 81 and note x.

Her confession of imposture

Shortly after the meeting of Parliament on January 15, 1533-4, a bill of attainder was introduced against the nun, the five monks, More, Fisher, Abel (the Queen's confessor), and others. It was passed on March 21st, and on April 21st, the nun, Masters, Bocking, and the other four monks, were all executed at Tyburn.

More and Fisher attainted with her
A.D. 1534

Sir Thomas More and Bishop Fisher were the only other persons towards whom Cromwell and the King seem to have wished to show any great severity, and it is not unlikely, therefore, that the supposed plot against the King's life was a political fiction, for neither King nor minister ever showed mercy to those whom they considered guilty of treason. Fisher and More were, in fact, marked for destruction, and their condemnation was only a question of time. They were leading men, the one in the world of thought, and the other in that of religion, and both had shown

Doubt as to reality of the plot

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[8] Jenkyns' Cranmer, i. 82.

More escapes for a time

enough independence to render them dangerous in the eyes of Henry and Cromwell. They escaped for a time, because nothing could be really proved against them.[9] Sir Thomas More wrote to the King claiming the fulfilment of a promise made him on his resignation of the chancellorship, that the King would stand his friend in any trouble : and he was pardoned. Bishop Fisher stoutly denied the charges of treason that were made against him, but was condemned to forfeit all his goods, and to be imprisoned.[1] Then Fisher knew that his time was

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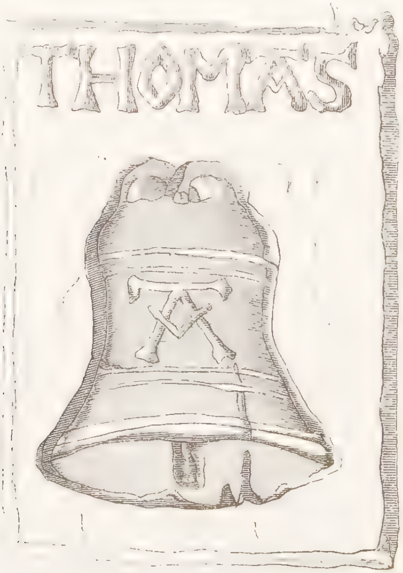
[9] This is shown by the earnest endeavour of Audley and the House of Commons to persuade the King to omit More's name from the Bill of Attainder. Nothing could be brought against him, they said, as regarded the nun, and they doubted not some other charge might soon be contrived that would suit the King's purpose. Wordsw. Ecc. Biog., ii. 175, ed. 1810.

[1] The same sentence was passed upon Abel, Confessor to Queen Catherine. He was confined in the Tower, where he has left his mark on the wall of the Beauchamp Tower in the form of the following rebus. He was eventually executed in Smithfield, in 1540, with Barnes, Gerard, Jerome, Fetherstone, and Powell.



come, and he retired for his last few days of liberty to his house at Rochester.

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Meanwhile an Act was passing through Parliament, in the meshes of which both More and Fisher were destined to be fatally entangled. This was "An Act concerning the King's Succession" [25 Hen. VIII. cap. 22], which was passed on March 30, 1534, nine days after the Act of Attainder by which Fisher and the rest had been condemned, and sixteen before he was sent to the Tower.

[illegible]

This Statute enacted that the King's marriage with Queen Catherine being invalid, and that with Queen Anne being established, his children by the latter should be the lawful successors to the Crown. Perhaps there would have been little practical difficulty in gaining a general acquiescence in the Act so far: but there was a sting in its last clause but one in the shape of an enactment that any and every person whatever among the subjects might be called upon to swear that they would "truly, firmly, and constantly, without fraud or guile, observe, fulfil, maintain, defend, and keep, to their cunning, wit, and uttermost of their powers, the whole effects and contents of this present Act." Even this might have been borne, but beyond this a form of oath was contrived which had no legislative authority whatever, which is not in the Act, and which must have been framed at a subsequent date. This form of oath was as follows:[2]—

The form of the Oath

"Ye shall swear to bear your faith, truth, and obedience only to the King's Majesty, and to the heirs of his body, according to the limitation and rehearsal within this Statute of succession above specified; and not to any other within this realm, nor foreign authority, prince or potentate; and in case any oath be made or hath been made by you to any other person or persons, that then you do repute the same as vain and annihilate: and that to your cunning, wit, and utmost of your power, without guile, fraud, or other undue means, ye shall observe, keep, maintain, and defend this Act above specified, and all the whole contents and effects thereof, and all other acts and statutes made since the beginning of this present Parliament, in confirmation or for due execution of the same, or of anything therein contained. And thus ye shall do against all manner of persons, of what estate, dignity, degree, or condition soever they be; and in no wise do or attempt, nor to your power suffer to be done or attempted directly or indirectly, any thing or things, privily or apertly, to the let, hindrance, damage, or derogation thereof, by any manner of means, or for any pretence or cause, So help you God and all Saints."

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[2] This oath is entered in the Journals of the House of Lords at the close of the proceedings of the session — a most strange afterthought, and creating a suspicion of dishonesty.

More's view of the Oath

Commissions were appointed at once to tender this oath in all parts of the country, and one sat at the Archbishop's palace at Lambeth, before which both the Bishop and Sir Thomas More were called, on Monday the fifteenth of April.[3] For a time the ex-chancellor's legal knowledge foiled the King. The oath was not in the Statute, was different in tenor from that substantially given there: he would swear simply to the succession but not to the new oath now tendered to him, and which he considered to be unlawful. He would not prejudice the mind of any other person, but for his own mind it was made up and nothing should change it. He also intimated that he had certain secret reasons for not taking the oath, which he would disclose only to the King himself. What these were never transpired, but More was sure to have had good reason for what he said. And so, while many came and went, taking the oath readily, More walked in the garden of Lambeth palace till the evening, when he was given into the charge of the Abbot of Westminster. Fisher meanwhile had also come to Lambeth, had refused the oath, and had been sent straight to the Tower, whither, four days after, More followed him. There the two continued for a year, not seeing each other, but occasionally corresponding. On May 4, 1535, More looking out of his prison window saw some of the Charterhouse monks being led to their execution, and wrote to his daughter how much he longed to be of their company: anticipating no doubt that he had but a little while longer to wait.

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[3] See Wordsw. Ecc. Biog., ii. 182, ed. 1814.

Fisher and More sent to the Tower

Examinations and persuasions could not win over either of these two great "criminals." And as no other way could be found to master the ex-chancellor's law, a fresh Statute was passed [26 Hen. VIII. cap. 2] declaring that the oath tendered was the oath intended by the statute of the previous year! By this *ex post facto* legislation a show of lawfulness was found for the oath, and it was once more formally tendered to More and Fisher, before a special commission sitting in Westminster Hall, on Thursday June 17, 1535. Of course they refused again, and finally, and were finally declared guilty.

Bishop Fisher's last hours

On the Tuesday following, the Bishop of Rochester ended his life on Tower Hill, a life of much holiness, much service to the crown and country, and of which nothing is known but what is honourable. The good old man's death was worthy of him and of the Master in whose footsteps he was humbly

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treading, while he felt for a Light whose brightness he did not altogether see on this side the grave. Late at night—even in the middle of the night it seems—the lieutenant of the Tower came to him with the warrant for his execution on the following day. "At what hour?" asked the aged Bishop, and the reply was "at nine o'clock." On hearing this he said he would sleep for two or three hours, and begged to be called at six in the morning, explaining that he wished to have some sleep, because being so very old and infirm (he was seventy-six), he thought it would be hardly possible otherwise to go bravely through his trial. At that hour he was aroused, spent most of the interval in devotion, and then took a slight breakfast. When the time drew near, and the lieutenant had again made his appearance, "Reach me hither," said the old man, "my furred tippet, to put about my neck."[4] Sir William Kingston remonstrated with him for thinking of such a trifle when he had so few minutes to live: but he was rebuked by the answer, that it was one's duty to keep to the last minute, by all reasonable means and ways, the life given in trust to us by God, even though there may be no fear whatever of death. So the aged Bishop wore his amess until it was taken off by the headsman. As soon as he had received it, he put a New Testament into his pocket, made the sign of the cross upon his forehead, in remembrance of his Master's dying hour, and then tottered down-stairs. But as it was impossible for him to walk so far as Tower Hill, they seated him in a chair, and carried him as far as the gate of the Tower, to wait there

Fisher's remarks about stewardship of life for the sheriffs, whose duty it was to receive him thence into their custody. As they waited, he rose from his chair, leaned against the wall, and taking the little New Testament out of his pocket, lifted up his eyes to Heaven, and prayed, "O Lord, this is the last time that ever I shall open this book, let some comfortable place now chance unto me, whereby I Thy poor servant may glorify Thee in this my last hour." Looking into the book as he opened it, the first words that met his eyes were "This is life eternal, that they might know Thee, the only true God, and Jesus Christ, whom Thou hast sent. I have glorified Thee on the earth: I have finished the work which Thou gavest Me to do. And now, O Father, glorify Thou Me, with Thine own self, with the glory which I had with Thee before the world was."[5] When he had read thus far, he shut the book, saying, "Here is even learning enough for me to my life's end." The sheriffs came, the procession moved on, and when it came to "the scaffold on Tower Hill, otherwise called East Smithfield,"[6] the Bishop once more tottered up the steps that lay between him and his rest, saying, "Accedite ad Eum, et illuminamini, et facies vestrae non confundentur;" "they had an eye unto Him, and were lightened: and their faces were not ashamed."[7] Then he said Te Deum, and the psalm "In Thee, O Lord, have I put my trust,"[8] remembering that his compline hour had come, and gave himself up to be disrobed by the executioner. When the crowd saw what a poor withered skeleton of humanity was

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[4] This "furred tippet" is a conspicuous object in Holbein's life-like portrait at St. John's College, Cambridge.

Fisher [illegible] tioner

His emaciated body

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[5] John xvii. 3–5.

[6] The Tower Hill scaffold was a few yards north of the great bonded warehouses at the All-Hallows Church corner of Trinity Square, within the space now railed in for a lawn.

[7] Ps. xxxiv. 5.

[8] Ps. xxxi. 1–6.

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being robbed of its few proper hours of life, there was a general wail of misery and indignation; and as for his shrivelled neck it seemed as if there was nothing left for the axe to pass through.

Anecdote of Anne Boleyn and Bishop Fisher's head

As soon as the head of the aged Bishop was severed from his body, it was put into a bag by the executioner, for the purpose of being carried to the bridge, there to be put upon a pole. But a message came for him to carry it to Anne Boleyn, who wished to see it before it was set up. We need not be too hard upon her; she was a graceless woman, and her wantonness had brought her into brutal company. As she looked on her victim's dead face, she said contemptuously, "Is this the head that so often exclaimed against me? I trust it shall never do no more harm."[9] Then to suit her action to her words, she cuffed the poor speechless lips with the back of her hand, but so hard, that a projecting tooth hurt her finger, and caused a sore that did not soon heal.

Ill-treatment of his decapitated body

But the indignity shown to the old Bishop's head was not greater than that which was shown to his mutilated body. It was stripped naked and left on the scaffold (guarded by soldiers) until eight o'clock in the evening. One Christian hand cast a decent veil of straw upon his middle, and that was all the care shown, until the King's order came for its removal: then the body was carried away swinging across a couple of halberds, to be tumbled headforemost and naked into a grave on the north side of All-Hallows Churchyard, where it awaits the re-

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[9] There is a long letter from Stephen Vaughan to Cromwell, written from Antwerp in August 1533, in which he charges Fisher with having written and published a book against the King's matter, and More with having been an accomplice. He also says that another much larger book is being printed, which he supposes to be also by them. [St. Pap., vii. 489.]

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surrection of the just.[1] The day of his death was that of the martyrdom of St. Alban (then observed on the 22nd of June), the year 1535. Before it came round again the Queen who had insulted him when dead had shared his fate within a few yards of the same spot, on the Tower Green, within the Tower walls. More had spoken words to his daughter on this subject which were almost like a prophecy. Once on coming home after some absence, he asked after many acquaintances, and among others after Queen Anne. "'In faith, father,' said his daughter, 'never better. There is nothing else at the court but dancing and sporting.' 'Never better?' said he, 'alas! Meg, alas! it pitieth me to remember unto what misery she will shortly come. These dances of hers will prove such dances that she will spurn our heads off like foot-balls; but it will not be long ere her head will dance the like dance.'"[2]

More's prediction about Anne Boleyn

More's own head followed that of Fisher after a fortnight's interval, on July 6th. Nothing could surpass the self-possession with which he met his fate, but there was an affectation about his last acts and words which makes it seem studied, and as if he was striving to emulate the philosopher of classical ages rather than the martyr of Christian times. He did himself injustice, for notwithstanding the persistence of his jesting habits, he had prepared for death like one who well knew and keenly felt what he was pre-

Sir Thomas More's last hours

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[1] Baily's Life of Fisher, 206-216. Baily also tells an anecdote, that while Fisher was in his study in his house at Lambeth Marsh, a cannon-shot passed right through. On inquiry, he was told that it had come from the *Earl of Wiltshire's* house on the opposite side of the river. So, calling his servants, he said, "Let us truss up our baggage and be gone, this is no place for us to abide in." This is said to have happened shortly after the poisoning by Rouse. Ibid., p. 101.

[2] More's Life of More, p. 244.

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paring for: and no martyr ever displayed a more thorough spirit of forgiveness towards all who were instrumental in his condemnation. He went forth to Tower Hill, a hale man (but for his imprisonment) of fifty-six years of age, on Tuesday, the octave of St. Peter and the eve of St. Thomas of Canterbury (as he himself noticed), July 6, 1635:[3]—

> "Immediately after the execution, word was brought thereof to the King; who being then at dice when it was told him, at the hearing thereof seemed to be wonderfully amazed. 'And is it true' (quoth the King); 'is Sir Thomas More, my chancellor, dead?' The messenger answered, 'Yea, if it may please your Majesty.' He turned to Queen Anne, who then stood by, and, wistfully looking upon her, said, 'Thou, thou art the cause of this man's death.' So presently went to his chamber, and there wept full bitterly."

Anecdote of Anne Boleyn and More's portrait

A good portrait of Sir Thomas More, by Holbein, is now in the Louvre, which the first art critic of our day thinks may be the same as that of which Baldinucci, in his "Lives of Painters," tells the following story:—King Henry had a fine portrait of the chancellor, which hung in a certain apartment with those of other eminent men. On the day of More's execution, after the King had reproached her with being the cause of his death, Queen Anne Boleyn, casting her eyes on the portrait, fancied that its gaze was fixed on her reproachfully, and seized with a sudden terror of remorse, she flung the picture out of the window, exclaiming, "Oh me! the man seems to be still alive."[4]

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[3] In Foxe's Acts and Monuments it is curious to find the author placing More in his Calendar of Martyrs on June 19th.

[4] It was picked up by a passer-by, and eventually carried to Rome, where in Baldinucci's time it still remained, though not now to be found there. For further particulars see some account of the "Life and Works of Hans Holbein," by Ralph Nicholson Wornum.

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In this manner passed away two great and good men, one whose work was done, the other still capable of many years' good service to his country. Neither of them did much either in advancing or retarding the Reformation, and yet the names of both are so closely bound up with the transactions of the time that it is impossible to omit this account of their latter days. Their deaths mark, moreover, an epoch of reaction, especially among the clergy. There was a degree of reckless tyranny in those deaths which exhibited in strong colours the intensely cruel disposition of the King and his minister, Cromwell. It was felt that no one was safe when men so thoroughly guiltless of any real crime could thus be sacrificed. Still more was it felt that religion had very little to do with the course which the King was taking, and that there was great danger of religion itself being shipwrecked and the Church destroyed if that course were not checked. The reaction thus started went on gaining strength until it overthrew the Reformation for a time, and ended at last by founding the Roman Catholic schism in England.

CHAPTER VIII

AUTHORITATIVE DEALINGS WITH DOCTRINE IN THE REIGN OF HENRY THE EIGHTH

[A.D. 1536 – A.D. 1547]

CHAP VIII

WHEN King Henry the Eighth had established his own authority in the Church of England, his ideas on the subject of its reformation were very nearly exhausted. Those ideas were chiefly confined to the gratification of his wishes in the matter of the divorce, to the acquisition of power in that of the supremacy, and to the resuscitation of his attenuated treasury by the dissolution of the monasteries. There was, however, a great power at work of which the King had not taken an estimate, and that was the power of national thought, deriving its impulse from no visible quarter, but moving forward with an irresistible force.

Narrowness of older clergy

But, perhaps, one great stimulating element in the development of national thought was the persistence with which many of the older clergy adhered to an exceedingly narrow interpretation of the schoolmen, and of the mediaeval system of the Church in general. The schoolmen were mental giants, whose works could scarcely be despised by any one who has made

Paucity of scholars and theologians

himself acquainted with them.[1] And so also the religious system of the Middle Ages was grand as the old cathedrals which still record its memory. Intellect and saintliness had full scope in the Mediæval Church of England, as full scope as in any age from Constantine to the present time. But great systems require great living exponents if their grandeur is to continue to be an effective force, and the absence of such exponents causes a loss of significance which is next door to a loss of life. Now, it is beyond all manner of doubt that the fifteenth century failed to produce any class of theologians who could properly use the weapons which the twelfth and thirteenth had forged for them. There were as few great scholars and theologians as there were great saints, and intellect as well as holiness had sunk down to a level of low mediocrity. The cruel wars of the fourteenth century—especially, as regards our own country, the wars of the Roses—had gone far towards eating out the heart of religion; and it was only when they ceased that men seemed to have time and inclination to think again.

Influence of Erasmus

The great yet vain and petulant Erasmus undoubtedly deserves the credit of having aroused the educated world of Europe, and especially of our own country, from this torpor. It is an absurd mistake to suppose that he originated the study of Greek in England, for it was at Cambridge that he learned that language; but his enthusiastic love of it stirred up the languid scholarship of both our universities, and his enterprise in printing the text of the New

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[1] The contempt which used to be expressed for the schoolmen was, in reality, contempt for the way in which they had been used; few, even among learned men, taking the trouble to read the schoolmen themselves.

Testament led many to study the original who would otherwise have been content with the Vulgate. The mind of Erasmus was, too, of a decidedly independent and original character: and to him we must trace the growth of that disposition to search deep into the foundations of received dogmas which had so great an effect upon the theology of the Church of England. Men were in the habit of settling down on a rather superficial tradition, and the habit became so strong that a spirit of inquiry began to be looked upon as identical with a spirit of heresy. Erasmus taught his generation the habit of looking below the surface; and, notwithstanding the tone of irreverence and scornfulness with which his own writings are too much adulterated, and which his followers too often caught up, this habit of research and spirit of inquiry proved a gain to the theological world as well as to the world of thought at large.

It may be concluded that although it is difficult to point out any definite work by which Erasmus influenced the English Reformation beyond the publication of his Greek New Testament, he really did influence it in two particulars; first, by the revival of scholarship; and secondly, by stimulating men to the use of their reasoning powers. His influence was directly exerted only upon the higher clergy, and a few of the higher laity; but it was of a kind which would soon extend downwards by these intermediate channels, and thus the results of it were spread over a much wider area than that traversed by the great scholar himself.

Dean Colet has been already mentioned in a previous chapter as the preacher of a famous Reformation sermon before the Convocation, and as a lecturer on Holy Scripture. He also wrote a treatise on the seven Sacraments,[2] which indicates a very decided inclination to break away from ordinary habits of thought. But the treatise was never printed by Colet; and its only historical value is that of illustrating this growing tendency of educated men to strike out new lines rather than to walk servilely on those already chalked out by their predecessors.[3]

Theological discussion among the laity

But the spirit of inquiry soon extended itself to the uneducated as well as to the educated classes; and as it descended in the social scale, it stirred up much ignorant and irreverent controversy, ill-feeling, and even violence. At the one extreme was the habitual superstition and "ultramontanism" which the sixteenth century inherited from the fifteenth, at the other the wild and infidel principles of the foreign Anabaptists now finding a home among the lower classes of Englishmen.

"Too many there be," says one of the Homilies a few years later, "which, upon the ale-benches or other places, delight to set forth certain questions not so much pertaining to edification as to vain-glory, and showing forth of their cunning, and so unsoberly to reason and dispute, that when neither part will give place to other, they fall to chiding and contention, and sometime from hot words to further inconvenience. St. Paul could not abide to hear among the Corinthians these words of discord or dissension, 'I hold of Paul, I of Cephas, and I of Apollos.' What would he then say if he heard these words of contention which be now almost in every man's mouth? 'He is a Pharisee,'

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[2] Printed for the first time in 1867, when it was edited, with an introduction, by the Rev. J. H. Lupton, M.A., Sur-Master of St. Paul's School.

[3] Henry VIII.'s Treatise, "Assertio Septem Sacramentorum," is an example of exactly the opposite disposition, that of adhering strictly to received tradition. It has no particular merit, literary or theological.

'he is a Gospeller,' 'he is of the new sort,' 'he is of the old faith,' 'he is a new-broached brother,' 'he is a good Catholic father,' 'he is a papist,' 'he is an heretic.'"[4]

The Acts of Parliament and proclamations use similar language, and that it is not at all exaggerated is shown by many of the narratives contained in Foxe's "Acts and Monuments." The spirit of inquiry was, in fact, developing into a spirit of doubt and unbelief—a rapid and dangerous recoil from the blind dogmatism and superstition which had been allowed to grow up during several preceding generations.

Such a general unsettlement of religious opinion showed that the time had fully come for the Church to act, and that the great question of papal jurisdiction having been disposed of, the official representatives of the Church of England must now undertake the responsibility of reforming the doctrines and devotional customs which had been handed down by the Middle Ages.

Review of doctrine the work of the clergy in synods

And here something must be said as to the authority by which this work was undertaken by the Church of England; for it has often been alleged by the opponents of her independence, that independent action on such subjects was contrary to the law and practice of the Catholic Church. Such an opinion is contradicted, however, by history; and the course taken by the Anglican reformers can be fully justified by Catholic precedents.

For the Church was ordinarily governed and directed in all things by local synods down to the time of the first General Council, A.D. 325, and substantially so after the time of the sixth General

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[4] "First part of Sermon against Contention and Brawling."

Council, A.D. 681. Even during those exceptional three centuries and a half, General Councils were only called in very special cases, and the ordinary affairs of particular churches were still left to their own local synods. Archbishop Laud has shown that this freedom extended even to matters of faith, local synods sometimes anticipating the decrees of General Councils :—

Laud on powers of local synods

> "For the council at Rome," he says, "under Pope Sylvester, anno 324, condemned Photinus and Sabellius (and their heresies were of high nature against the faith). The Council of Gangra about the same time [between 325 and 380] condemned Eustathius for his condemning of marriage as unlawful. The first council at Carthage, being a provincial, condemned rebaptization, much about the year 348. The provincial council at Aquileia, in the year 381, in which St. Ambrose was present, condemned Palladius and Secundinus for embracing the Arian heresy. The second council of Carthage handled and decreed the belief and preaching of the Trinity; and this a little after the year 424. The Council of Milevis in Africa, in which St. Augustine was present, condemned the whole course of the heresy of Pelagius, that great and bewitching heresy, in the year 416. The second council of Orange, a provincial too, handled the great controversies about grace and free-will, and set the Church right in them in the year 444. The third council of Toledo (a national one), in the year 589, determined many things against the Arian heresy, about the very prime articles of faith, under fourteen several anathemas. The fourth council of Toledo did not only handle matters of faith, for the reformation of that people, but even added also some things to the creed which were not *expressly* delivered in former creeds. Nay, the bishops did not only practise this to condemn heresies in national and provincial synods, and so reform these several places and the Church itself by parts, but they did openly challenge this as their right and due, and that without any leave asked of the see of Rome; for in this fourth council of Toledo they decree, 'That

if there happen a cause of faith to be settled, a general, that is a national synod of all Spain and Galicia shall be held thereon;' and this in the year 643: where you see it was then catholic doctrine in all Spain that a national synod might be a competent judge in a cause of faith. And I would fain know what article of faith doth more concern all Christians in general than that of *Filioque?* and yet the Church of Rome herself made that addition to the creed without a general council. . . And if this were practised so often and in so many places, why may not a national council of the Church of England do the like."[5]

These arguments and illustrations might indeed be strengthened, in the case of the Church of England, by showing that it stood from the first in a peculiar position of independence, from the fact that the country never formed any part of the later empire, and had never therefore been thoroughly assimilated in habits with the Southern Churches of Europe: that the Roman canon law never prevailed to any extent in this country, which had always a canon law of its own: and that its liturgy was always essentially national.

Decrees of great General Councils always accepted by the Church of England

It is well-known, however, that as far as matters of faith are concerned, the later Church of England has as constantly received the decrees of the first six General Councils (the only six which have been universally accepted by Christendom) as the Church of Rome itself has done; and neither her provincial synods nor her convocations have ever attempted to meddle with primary articles of faith except by way of solemn acceptance and confirmation. Nor has the Church of England ever manifested the least reluctance to take part in any General Council. Henry VIII. and Cranmer both made formal appeals to such a council, and negotiations were on foot in Elizabeth's reign for the representation of England at the Council of Trent. But no council can ever be generally acknowledged as œcumenical by Christendom at large in which the Pope claims to be more than a presiding moderator: and until a free council is properly constituted, England, at least, must look to its national synods for spiritual guidance, even in matters of faith.

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[5] Laud against Fisher, § 24, 126, 127, ed. 1839.

It has been already shown that the repudiation of the papal jurisdiction and other matters of disciplinary reform were practical enunciations of the principles indicated in the preceding pages: and it will now be shown how the same principles were brought to bear on the reformation of doctrine in the Church of England.

The Convocation of 1536

The convocation which was opened at St. Paul's on June 9, 1536, with a sermon by Bishop Latimer, was evidently expected to do some important work. It was the critical time of the northern rebellion, and the dissolution of the lesser monasteries: the full effects of renouncing the Pope's authority were just beginning to be felt, the seething spirit of controversy was reaching its climax, and a general feeling pervaded society that further great changes were at hand.

No session was held for business until June 21st. On that day Cromwell (who appeared in the anomalous position of the King's Vicar-General[6]) brought

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[6] Cromwell had tried to carry his assumption still further by sending a deputy to take his place in the Convocation. This was Dr., afterwards Sir William Petre, who kept in office under every sovereign from Henry VIII. to Elizabeth inclusive, and including Lady Jane Grey. The Convocation indignantly refused to permit Petre's presence; and after a few days' delay, Cromwell appeared himself. [Wilkins' Concil., iii. 803.] His conduct was equally presump-

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a message from his Majesty expressing the desire which he felt for the termination of religious discord.

Royal message respecting religious discords

"Ye be not ignorant," it said, "that ye be called hither to determine certain controversies which at this time be moved concerning the Christian religion and faith, not only in this realm, but also in all nations throughout the world, for the King studieth day and night to set a quietness in the Church, and he cannot rest until all such controversies be fully debated and ended, through the determination of you and of his whole Parliament. For although his special desire is to set a stay for the unlearned people, whose consciences are in doubt what they may believe, and he himself, by his excellent learning, knoweth these controversies well enough, yet he will suffer no common alteration, but by the consent of you and of his whole Parliament."[7]

As soon as the message, of which this is the most important part, had been delivered by Cromwell, "all the bishops did rise up and gave thanks to the King's Majesty for his fervent study and desire toward an unity, and for this virtuous exhortation most worthy of a Christian king."

The discussion which followed comes down to us through the Scotch intruder, Aless or Allen, whom Cromwell had taken with him, and the terms in which he writes make his narration unreliable. We can gather generally from it that the debate turned chiefly upon the doctrine of the sacraments, and that Stokesley, Bishop of London, and Archbishop Cran-

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tuous in inviting the Scotch refugee Aless to go with him to the Convocation; but after the first time the Archbishop would not allow him to take any part in the debates. [Ellis' Orig. Lett., III. iii. 196-202].

[7] In a book entitled "Of the Authority of the Word of God against the Bishop of London, by Alexander Alane, Scot." Foxe embodies the account in his Acts and Mon., v. 379-384, ed. 1838. Allen calls the authors quoted "stinking glosses and lousy old writers." Perhaps his nationality furnished him with his epithets.

mer were the leaders of the two opposing schools of theology that were represented among the bishops.

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While the debate was going on in the Upper House, on June 23d the clergy of the Lower House presented a "Protestation" to their Lordships against certain errors and abuses which they declare that they believe in their consciences "to have been and now to be within this realm causes of dissension, worthy special information." This "protestation" consists of sixty-eight short articles, in which are stated some of the opinions and ribald sayings of the Anabaptists and the rising class of English Dissenters. Among the chief of them are the following:[8]—

Protest of clergy against current errors

"It is commonly preached, thought, and spoken, to the slander of this noble realm, disquietness of the people, damage of Christian souls, not without fear of many other inconveniences and perils, that the sacrament of the altar is not to be esteemed. For divers light and lewd persons be not ashamed or afraid to say, Why should I see the sacring of the high mass? Is it anything else but a piece of bread, or a little pretty round robin?

"Priests have no more authority to minister sacraments than the laymen have.

"All ceremonies accustomed in the Church, which are not clearly expressed in Scripture, must be taken away, because they are men's inventions.

"A man hath no free will.

"God never gave grace nor knowledge of Holy Scripture to any great estate of rich men, and they in no wise follow the same.

"It is preached and taught that all things ought to be common.

"It is idolatry to make any oblations.

"It is as lawful at all times to confess to a layman as to a priest.

"Bishops, ordinaries, and ecclesiastical judges have no authority to give any sentence of excommunication or censure, ne yet to absolve or loose any man from the same.

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[8] They will be found at length in Wilkins' Concil., iii. 137, or Strype's Memorials, ii. 266, ed. 1822.

"All sins, after the sinner be once converted, are made, by the merits of Christ's passion, venial sins—that is to say, sins clean forgiven.

"The singing or saying of mass, mattens, or evensong is but a roaring, howling, whistling, murmuring, tomring, and juggling, and the playing at the organs a foolish vanity.

"It is sufficient and enough to believe, though a man do no good work at all.

"No human constitutions or laws do bind any Christian man but such as be in the gospels, Paul's epistles, or the New Testament; and that a man may break them without any offence at all."

The document concludes with a statement that there are many slanderous and erroneous books abroad which ignorant people suppose to be official because they have *cum privilegio* upon them;[9] that some of these books which had been condemned by a committee of Convocation were not yet condemned by the bishops; and, finally, that apostates and infamous persons took upon themselves to preach slanderously without either royal or episcopal license.

Convocation agrees to Ten Articles of Religion

This protestation of the Lower House doubtless affected the discussion that was going on in the Upper; but as the records of Convocation are unfortunately destroyed, we can only judge of it by the result, which is found in the Ten Articles of 1536, the first of that series which culminated in the present Thirty-nine Articles.

The exact course of proceeding by which these came into the form in which they are now on record cannot be traced. But the action of Convocation, like that of Parliament, is very uniform, and it is not

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[9] It was forbidden by proclamation, shortly after, to use these words without authority.

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How they were likely to be agreed upon

difficult to imagine what took place. There were debates and rough drafts of resolutions: at first many high words, then a gradual approximation of parties and an unwilling compromise; and as light began to dawn, a committee, that final resource of all assemblies, would be appointed to draw up a series of propositions on which the largest number was likely to agree; these propositions would be submitted to the bishops, and perhaps to the Lower House, and would thus be gradually moulded into their eventual form. During the progress of these proceedings there were, no doubt, what we now call "communications with the Government," probably through Cranmer and Cromwell with the King himself, so that all parties concerned might be brought to a general agreement before the document under construction officially saw the light.[1] By the time all this had been done the month of June and part of the succeeding month had worn away, and it was July 10th before the Articles were ready for the final step, which was that of subscription by the two Houses of Convocation which had brought them into being.

Subscription to them by the clergy

They were subscribed on that day by the vicar-general, the two archbishops, and sixteen bishops (including the Bishop of Durham[2]), forty abbots and priors, and fifty archdeacons, deans, and proctors of the Lower House. And as, by the concordat lately entered into between the King and the Convocation, no canons were to become law without they were assented to and published by the crown,

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[1] There is reason to think the King made some alterations in the draft with his own hand. See Jenkyns' Cranmer, i. p. 15.

[2] The Archbishop of York and the Bishop of Durham probably acted for the Northern Convocation, as Bishop Cosin and others were commissioned to do when the Prayer Book was revised in 1661. See Kennett's Register, 563, 565.

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the Articles were finally issued under the King's authority, and with a preface or declaration prefixed in a similar manner to that in which the Thirty-nine Articles of religion and the Canons are now set forth.

These Articles form so conspicuous a feature in the history of the Reformation that it is desirable to insert a summary of them, the text itself occupying too much space.[3]

Promulgation of them by the Crown

The original title of the Articles as they left the Convocation (and as it still exists in the MS.) was, "Articles about Religion set out by the Convocation, and published by the King's authority;" but it got into print in the following form—"Articles devised by the King's Highness' Majesty, to establish Christian quietness and unity among us, and to avoid contentious opinions; which Articles be also approved by the consent and determination of the whole clergy of this realm. Anno MDXXXVI." Such an alteration was very characteristic of Henry, and is a parallel to his suppression of the clause "quantum per Christi legem licet" in the Convocation document respecting his supremacy.

Contents of Royal Promulgation

The declaration, or preface, consists of three paragraphs, in which the King states, that it being his duty to see that God's word and commandments are believed by his subjects, and also to secure unity and concord in opinion in such things as concern religion, and having heard what unbelief and controversy there is among them, his Majesty has not only taken great pains himself, but also has "caused our bishops, and other the most discreet and best learned men of our clergy of this our whole realm, to be assembled in our Convocation for the full debatement and quiet determination of the same." The Articles, which "finally they have concluded and agreed upon," are now, with their assent and agreement set forth in two parts: the first part relating to such things as are directly commanded by God, and are necessary to salvation; the second part to such things as have been of long continuance, and have been prudently instituted by the Church, and are therefore to be observed, although not ordained expressly by God, nor necessary to salvation.

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[3] They are correctly printed at length in Bishop Lloyd's "Formularies of Faith in the reign of Henry VIII.," and in Archdeacon Hardwicke's "History of the Articles." The copy originally subscribed by the clergy is the British Museum MS. Cleop. E. v. 59. A fac-simile of their signatures is printed in Tierney's edition of Dod's Church History, vol. i.

Contents of Ten Articles themselves

Each of the two divisions thus characterized contains five Articles—the first five relating to articles of faith, baptism, penance, the Holy Eucharist, and justification; the second division treating of images, the honour to be given to saints, prayers to saints, rites and ceremonies, and purgatory.

On the Creeds

[I.] The first Article enjoins the bishops and preachers to teach that all those things are true which are contained in the Bible and the three Creeds, and that these are to be interpreted according to their plain meaning. It must be held and taught that these are "the most holy, most sure, the most certain, and infallible words of God," which cannot be altered by any authority: that the articles of the Creeds are "necessary to be believed for man's salvation;" that those who obstinately contradict them are very infidels and heretics who will not be saved; that they must therefore be reverently and religiously kept and observed; and that all contrary opinions, as condemned by the first four holy councils, must be utterly refused and condemned.

On Baptism

[II.] The SACRAMENT OF BAPTISM is declared to have been "instituted and ordained by our Saviour Jesus Christ as a thing necessary for the attaining of everlasting life. It is offered to infants as well as adults, that all may have remission of sins, and the promise of grace and everlasting life belongs to infants, innocents, and children, as well as to adults. "Insomuch as infants and children dying in their infancy shall undoubtedly be saved thereby, and else not."[4] Infants must be baptized, because they are born in original sin, which cannot be remitted except by baptism, wherein the Holy Ghost cleanses and purifies them by His most secret virtue and operation. Having been once baptized they cannot, nor ought not, to be baptized again, and Anabaptist and Pelagian opinions to the contrary are detestable heresies. But remission of sins in baptism is only given to adults when they come to the Sacrament with penitence, with belief in all the articles of the faith, and with full trust in the promise of God adjoined to the said Sacrament.

On Penance

[III.] The SACRAMENT OF PENANCE was instituted by Christ "as a thing so necessary for man's salvation, that no man which after his baptism is fallen again, and hath committed deadly sin, can without the same be saved, or attain everlasting life." When sinners convert themselves from their naughty life, and do such penance as Christ requires, they shall attain remission of sins, that penance consisting of the three parts contrition, confession, and amendment; which must also bring forth worthy fruits of

[4] This statement is transferred to the Prayer Book, in the form of a rubric at the end of the Office for Public Baptism of Infants, "It is certain, by God's Word, that children which are baptized, dying before they commit actual sin, are undoubtedly saved."

penance. Contrition is defined as consisting of true and sorrowing fear, shame, and abomination of sin, and a certain faith, trust, and confidence of the mercy and goodness of God. To attain this confession is necessary, and absolution pronounced by the priest being given according to the very word and promise of God, and spoken by the authority of Christ, "auricular confession" is a very expedient and necessary mean whereby they may require and ask this absolution at the priest's hands.[5] After which the fruits of true repentance must show themselves by works of charity, which God requires of every penitent man, and which abate the temporal consequences of sin to the sinner, though Christ and His death alone can remit the eternal consequences."[6]

On the Holy Eucharist

[IV.] "Fourthly, As touching the SACRAMENT OF THE ALTAR, we will, that all bishops and preachers shall instruct and teach our people committed by us unto their spiritual charge, that they ought and must constantly believe that under the form and figure of bread and wine, which we there presently do see and perceive by outward senses, is verily, substantially, and really contained and comprehended the very selfsame body and blood of our Saviour Jesus Christ, which was born of the Virgin Mary, and suffered upon the cross for our redemption, and that under the same form and figure of bread and wine, the very self-same body and blood of Christ is corporally, really, and in the very substance exhibited, distri-

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[5] In a sermon preached in 1553 Latimer shows what a high value he set upon confession. "To speak of right and true confession, I would to God it were kept in England, for it is a good thing." Sermons, ii. 399, ed. 1824.

[6] The phrase used is "although Christ be the *sufficient oblation, sacrifice, satisfaction*, and recompence, . . ." which is reproduced in the Consecration Prayer of our Communion Service.

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buted and received of all them which receive the said sacrament; and that therefore the said sacrament is to be used with all due reverence and honour, and that every man ought first to prove and examine himself, and religiously to try and search his own conscience, before he shall receive the same; according to the saying of St. Paul, *Quisquis ederit panem hunc aut biberit de poculo Domini indigne, reus erit corporis et sanguinis Domini; probet autem seipsum homo, et sic de pane illo edat et de poculo illo bibat; nam qui edit aut bibit indigne, judicium sibi ipsi manducat et bibit, non dijudicans corpus Domini:* that is to say, whosoever eateth this body of Christ unworthily, or drinketh of this blood of Christ unworthily, shall be guilty of the very body and blood of Christ; wherefore let every man first prove himself, and so let him eat of this bread, and drink of this drink. For whosoever eateth it or drinketh it unworthily, he eateth and drinketh it to his own damnation; because he putteth no difference between the very body of Christ and other kinds of meat."

It will be observed that this is a full and firm assertion of the doctrine of the Real Presence as it is, and always has been, held by High Church divines in the Church of England: and that nothing whatever is said about transubstantiation or the annihilation of the natural elements, which was at a later period made the leading feature of their doctrine by the Romanist party. In the "Bishop's Book"—"The Institution of a Christian Man"—this article is reproduced without any addition whatever: in the "King's Book," on the other hand—"The Necessary Doctrine and Erudition of a Christian Man"—there is a long exposition of the doctrine of the Eucharist, in which transubstantiation is practically asserted.

On Justification

[V.] Justification is defined in the fifth article as "remission of our sins, and our acceptation or reconciliation into the grace and favour of God, that is to say, our perfect renovation in Christ:" and it is declared to be attained by contrition and faith, joined with charity. "The only mercy and grace of the Father, promised freely unto us for His Son's sake, Jesu Christ, and the merits of His blood and passion" being "the only sufficient and worthy causes thereof."

On the ceremonies of the Church

The remaining five "articles concerning the laudable ceremonies used in the Church, will be found noticed at length in the next chapter, and need not be further mentioned here than by a reference to the titles already given.

From the preceding summary it will be observed that the clergy were now feeling their way to a sound theological basis for the reformation of doctrine. Existing manuscripts show that a great deal of careful labour was expended on the construction of the articles, and that both sides gave way in some particulars, for the sake of coming to a common standing-ground.[7]

Injunctions respecting the use of the Ten Articles

Shortly after they had been printed, the King issued a set of eight injunctions to the clergy, in the second of which they were directed to make the articles known to the laity by declaring them in their sermons. Some printed copies, and the original manuscript, were sent down to the north of England to convince the discontented insurgents there that they were the work of the Church, and not of the King. A royal letter was also sent to each of the bishops on November 19, 1536,[8] enjoining them to make the articles more widely known, and prevent

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[7] Jenkyns' Cranmer, i. p. 15.

[8] Wilkins' Concil., iii. 825.

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or punish the resistance which was being offered to them in some of their dioceses by both clergy and laity. It is evident, therefore, that the King entirely adopted the theological statements thus set forth by Convocation, and endeavoured to enforce them vigorously on the nation.

The Institution of a Christian Man

The Ten Articles of 1536 were shortly followed up by a book called "THE INSTITUTION OF A CHRISTIAN MAN," which was indeed an expansion of the statements which they contained. It was imitated on a larger scale thirty years afterwards by the Church of Rome, which put forth upon precisely a similar plan the "Catechism of the Council of Trent." But at the time when the "Institution" was published by the Church of England no work of the kind existed, though the germ of such a work had indeed been extant for ages in the expositions of the Creed, Lord's Prayer, and Ten Commandments, which were habitually given from the pulpits of parish churches.[9]

Its plan an old one

This book was a noble endeavour on the part of the bishops to promote unity, and to instruct the people in Church doctrine. It was the work—as the preface tells us—of a commission appointed by the King for the purpose of searching and perusing Holy Scripture, and setting forth a plain and sincere doctrine concerning the whole sum of all those things which appertain unto the profession of a Christian man, that errors and superstitions might be removed, and unity and concord established. The commission consisted of all the bishops, eight archdeacons, and seventeen other doctors of divinity, making forty-six in number altogether.[1]

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[9] The title "Institution of a Christian Man" may have been taken from a rudimentary tract of Latin verses, consisting of seven pages, and explaining the Creed, the Sacraments, the deadly sins, &c., which Erasmus wrote at the request of Colet for St. Paul's School. It is printed under the title "Christiani Hominis Institutio," in a collection of "Opuscula Moralia," published by Frobenius in 1520, but had probably been often before printed. The word "Institution," as synonymous with "Instruction," was so used down to the last century.

At first sight Erasmus would seem to have had a still closer connection with the "Institution" of 1536: for in 1533 was published a work with the following title: "A Plain and Godly Exposition or Declaration of the Common Creed (which in the Latin tongue is called Symbolum Apostolorum) and of the X. Commandments of God's Law, newly made and put forth by the famous Clerk, Master Erasmus of Rotterdam, at the request of the most honourable Lord Thomas, Earl of Wiltshire, Father to the most gracious and virtuous Queen Anne, Wife to our most gracious Sovereign Lord King Henry the VIII. Cum privilegio."

It is a larger work than the "Institution" of 1536, and in many respects a very admirable work; but there appears to be no trace of any influence exercised by it on the divines who composed the authoritative volume.

Contents of the "Institution"

The "Institution of a Christian Man" is a volume which would occupy nearly 200 pages of the work now before the reader's eyes, and consists of a paraphrase and exposition of the Creed and the Lord's

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[1] The list of names contains those of the divines afterwards engaged on the translation of the Bible [see Chap. X.] and on the compilation of the Prayer Book; and is of so much interest that it is here subjoined:

Thomas Cranmer,	Archbishop of	Canterbury
Edward Lee, .	„	York
John Stokesley, .	Bishop of	London
Cuthbert Tunstal,	„	Durham
Stephen Gardiner,	„	Winchester
Robert Aldrich, .	„	Carlisle
John Voysey, .	„	Exeter
John Longland, .	„	Lincoln
John Clerk, .	„	Bath
Rowland Lee, .	„	Coventry and Lichfield
Thomas Goodrich,	„	Ely
Nicholas Shaxton,	„	Salisbury
John Bird, . .	„	Bangor
Edward Fox, .	„	Hereford
Hugh Latimer, .	„	Worcester
John Hilsey, .	„	Rochester
Richard Sampson,	„	Chichester
William Repps, .	„	Norwich
William Barlow,	„	St. David's
Robert Parfew, .	„	St. Asaph
Robert Holgate,	„	Llandaff
Richd. Wolman,	Archdeacon of	Sudbury
William Knight,	„	Richmond
John Bell, .	„	Gloucester
Edmund Bonner,	„	Leicester
William Skip, .	„	Dorset
Nicolas Heath, .	„	Stanord
Cuthbert Marshal,	„	Nottingham
Richard Curren,	„	Oxford
William Cliffe, . . .	Canon of York	
William Downes, . .	„ „	
Robert Oking.		
Ralph Bradford.		
Richard Smith,	Regius Prof. of Div., Oxford	
Simon Matthew.		
John Pryn.		
Wm. Buckmaster,	Vice-Chan. of Cambridge	
William May.		
Nicolas Wotton.		
Richard Coxe.		
Jn. Edmunds,	Mast. of Peter House, Camb.	
Thomas Robertson.		
John Baker.		
Thomas Barrett.		
John Hase.		
John Tyson		

This Commission has often been spoken of as Convocation; but there seems no good reason for believing that Convocation had anything to do with the book. Nor is there any meeting of Convocation recorded in the year 1537. Wake and Atterbury make out a National Synod of the two provinces in that year, but all that they attribute to it was certainly done by the Convocation which composed the Ten Articles, and they were certainly issued in 1536.

Prayer, with an exposition of the Ten Commandments, the Sacraments, and the Ave Maria, the whole of the five doctrinal Articles of 1536 being incorporated with the various portions of the work to which they relate. It may interest the reader to see the proportions of space which the several expositions occupy :—

Exposition of the Creed, . . .	53 pages.
Exposition of the Sacraments, . .	47 ,,
Exposition of the Ten Commandments,	46 ,,
Exposition of the Lord's Prayer, . .	24 ,,
Exposition of the Ave Maria, . .	5 ,,

A general consensus of the Bishops and other divines

That so large a work should be written on such subjects, in times of active controversy, and yet in such a manner as to be adopted as their own by forty-six learned divines of different schools, is a proof that there was an earnest desire to come to an agreement on matters of religion, and that there were not those irreconcileable differences which have been imagined among the learned clergy so long as the spirit of charity was suffered to actuate them. Cranmer, Lee, Gardiner, Latimer, and Bonner, all agreed to this book, and agreed to it, apparently, with sincerity. The fact is that the spirit of reactionary ultramontanism had not then been imported into English affairs, as it afterwards was by the provocations of Edward VI. and his courtiers; nor had the spirit of Continental Protestantism as yet made its way to any extent among divines. There were differences of opinion, but those differences were not so antagonistic as to be irreconcileable. All could still meet on one common ground of theological statement, and say, This is the doctrine of the Church of England. And, perhaps,

Their theology that of the Church

no book was ever written which did really set forth so concisely[2] and so completely the true theological tenets of the Church of England, as those tenets stand free from the compromises, vaguenesses, and parings down which they have suffered in later times under pressure of endeavours to conciliate dissenters. Like the Book of Common Prayer, it represented a general consensus of doctrine, and was not coloured by the opinions of any particular school, or of any individual divine; while at the same time its uncontroversial tone was such as to make it acceptable to those who loved to learn and practise their religion in peace.

not that of a school or of an individual

It has been already said that this noble book was mainly an expansion of the Ten Articles; but some further account of its theology, where it goes beyond the limited range of those short standards of opinion, may be acceptable to the reader.

The "Institution" on the Creed

The first division of the Institution is a paraphrase of each Article of the Creed, which extends to about thirty two pages, and is followed by an exposition of the Creed, under the title of "Notes and Observations," occupying twenty-one pages. The character of this paraphrase may be seen from the following paragraph, which concludes "The sense and interpretation of the second Article," and which would have been worthy the pen of Bishop Andrewes:—

> "Finally, I believe assuredly, and also profess, that this redemption and justification of mankind could not have been wrought nor brought to pass by any other means in the

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[2] The absence of verbosity is a very remarkable feature of the book. Many excellent works of later times, such as the great work of Hooker, are so verbose as to be unintelligible to any person not well skilled in reading authors of that particular age.

world, but by the means of this Jesu Christ, God's only Son; and never man could yet, nor ever will be, able to come unto God the Father, or to believe in Him, or to attain His favour by his own wit or reason, or by his own science and learning, or by any his own works, or by whatsoever may be named in heaven or in earth, but by the faith in the Name and power of Jesu Christ, and by the gifts and graces of His Holy Spirit. And therefore since He is my Jesu Christ, and my Lord, I will put my whole trust and confidence in Him, and will have the self-same faith and affiance in Him in all points, which I have in God the Father. And I will acknowledge Him for my only Lord, and will obey all His commandments all my life without any grudging. And I am sure that while He is my Lord and Governor, and I under His protection, neither sin, neither the Devil, nor yet death, nor Hell, can do me any hurt."

The "Institution" on the Lord's Prayer

The same devotional form of paraphrastic exposition is adopted throughout the commentary on the Lord's Prayer: and is of so beautiful a character that an even longer extract than the preceding will not be thought too long as an illustration of the spirit of the book. It is about one fourth of "the sense and interpretation of the fourth petition."

"O our heavenly Father, we beseech Thee give us this day our daily bread. Give us meat, drink, and clothing for our bodies. Send us increase of corn, fruit and cattle. Give us health and strength, rest and peace, that we may lead a peaceable life in all godliness and honesty. Grant us good success in all our business, and help in adversity and peril. Grant us, we beseech Thee, all things convenient for our necessity in this temporal life. And to them to whom thou dost vouchsafe to give more than their own portion necessary for their vocation and degree, give thy grace, that they may be thy diligent and true dispensators and stewards, to distribute that they have (over and above that is necessary, considering their estate and degree) to them that have need of it.

For so (good Lord) thou dost provide for thy poor people that have nothing, by them which have of thy gift sufficient to relieve themselves and others. And give also Thy grace to us, that we have not too much solicitude and care for these transitory and unstable things; but that our hearts may be fixed in things which be eternal, and in Thy kingdom, which is everlasting. And yet moreover (good Lord) not only give us our necessaries, but also conserve what Thou dost give us, and cause that it may come to our use, and by us to the poor people, for whom by us Thou hast provided. Give us grace, that we may be fed and nourished with all the life of Christ, that is to say, both His words and works; and that they may be to us an effectual example and spectacle of all virtues. Grant that all they that preach Thy word may profitably and godly preach Thee and Thy Son Jesu Christ through all the world; and that all we which hear Thy word preached may so be fed therewith, that not only we may outwardly receive the same, but also digest it within our hearts; and that it may so work and feed every part of us, that it may appear in all the acts and deeds of our life. Grant that the holy Sacrament of the altar, which is the bread of life, and the very flesh and blood of Thy Son Jesu Christ, may be purely ministered and distributed, to the comfort and benefit of all us Thy people; and that we also may receive the same with a right faith and perfect charity at all times when we ought to receive the same; and specially against our death, and departing out of this world, so that we may be then spiritually fed with the same to our salvation, and thereby enjoy the life everlasting. Give us an inward hunger and thrist to have Thy word, and the righteous living taught in the same. Grant this also, merciful Father, that all false doctrines, contrary to Thy word, which feed not, but poison and kill the soul, may be utterly extinct and cast away out of Thy Church, so, that we may be fed as well with the true doctrine of Thy word as with all other things necessary for us in this life."

This is the true-metal ring of the Book of Common Prayer itself; and it cannot but be regretted that the book containing such profitable instruction was not more widely used in moulding the tone of thought among clergy and people in that and succeeding ages.

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The "Institution" on the Church

In the paraphrase of the Creed, the portion which treats of the ninth article, given in the form "And I believe that there is one Holy Catholic and universal Church," is especially noteworthy, as embodying a clear and full statement of Anglican theology respecting national churches, the Church of Rome, and the unity of the Church. The extract given is a long one, but it has an historical importance as illustrating the firm and definite position which the Church of England took up, even so soon as the year 1537, and within so short a time after the formal renunciation of papal jurisdiction :—

"I believe assuredly in my heart, and with my mouth I do profess and acknowledge that there is and hath been ever from the beginning of the world, and so shall endure and continue for ever, one certain number, society, communion or company of the elect and faithful people of God : of which number our Saviour Jesu Christ is the only Head and Governor : and the members of the same be all those holy saints which be now in heaven, and also all the faithful people of God which be now in life, or that ever heretofore have lived, or shall live here in this world, from the beginning unto the end of the same, and be ordained for their true faith, and obedience unto the will of God, to be saved, and to enjoy everlasting life in heaven."

Then follows a statement respecting the union of members of the Church, "all united and incorporated by the Holy Spirit of Christ into one body, and that they do live there all in one faith, one hope, one charity, and one perfect unity, consent and agreement, not only in the true doctrine of Christ, but also in the right use and ministration of His Sacraments," and that being made holy by "Christ's most precious blood, and also by the godly presence, governance, and assistance of His Holy Spirit," neither sin nor false doctrine, nor heresy, nor the gates of hell shall be able finally to prevail against it. But, notwithstanding this, the exposition goes on to say, "there have been ever, and yet be, and ever shall be joined and mingled together in this holy Church and with the members of the same, an infinite number of the evil and wicked people," who, although they are weeds and chaff, yet because they are outwardly members of the Church's fellowship, are to be accounted "very members of Christ's mystical Body, so long as they be not by open sentence of excommunication cut off and excluded from the same." Not indeed because they are so in deed, but because the certain judgment and knowledge of their state is known only to God. This, it may be observed, is a principle that pervades the Prayer Book from beginning to end, and is especially conspicuous in the tone of the burial service.

The exposition then goes on to state what is meant by particular churches, and what is their relation to the Church of Rome :—

> "And I believe that this Holy Church is Catholic : that is to say, that it cannot be coarcted or restrained within the limits or bounds of any one town, city, province, region, or country; but that it is dispersed and spread universally throughout all the whole world. Insomuch that in what part soever of the world, be it in Africa, Asia, or Europe, there may be found any number of people, of what sort, state, or condition soever they be which do believe in one God the Father, Creator of all things, and in one Lord Jesu Christ His Son, and in one Holy Ghost, and do also profess and have all one faith, one hope, and one charity, according as is prescribed in holy scriptures, and do all consent in the true interpretation of the same scripture, and in the right use of

the sacraments of Christ; we may boldly pronounce and say, that there is this Holy Church, the very espouse and body of Christ, the very kingdom of Christ, and the very temple of God.

The "Institution" on the Roman Supremacy

"And I believe that these particular churches in what place of the world soever they be congregated, be the very parts, portions, or members of this catholic and universal Church. And that between them there is indeed no difference in superiority, pre-eminence, or authority, neither that any one of them is head or sovereign over the other; but that they be all equal in power and dignity, and be all grounded and builded upon one foundation, and be all called unto like and unto the same purity, cleanness, honour and glory, and be all subject unto one God, one Lord, one Head, Jesu Christ, and be all governed with one Holy Spirit. And therefore I do believe that the Church of Rome is not, nor cannot worthily be called the Catholic Church, but only a particular member thereof, and cannot challenge or vindicate of right, and by the word of God, to be head of this universal Church, or to have any superiority over the other churches of Christ which be in England, France, Spain, or in any other realm, but that they be all free from any subjection unto the said Church of Rome, or unto the minister or bishop of the same.

"And I believe also that the said Church of Rome, with all the other particular churches in the world, compacted and united together, do make and constitute but one catholic church or body. And that like as our Saviour Christ is one person, and the only head of His mystical body, so this whole catholic church, Christ's mystical body, is but one body under this one head Christ. And that the unity of this one catholic church is a mere spiritual unity, consisting in the points before rehearsed, that is to say, in the unity of Christ's faith, hope, and charity, and in the unity of the right doctrine of Christ, and in the unity and uniform using of the sacraments consonant unto the same doctrine. And therefore although the said particular churches and the members of the same do much differ, and be discrepant the one from the other, not only in the diversity of nations and countries, and in the diversity, dignity, and excellency of certain such gifts of the Holy Ghost as they be endued with, but also in the divers using and observation of such outward rites, ceremonies, traditions, and ordinances, as be instituted by their governors, and received and approved among them; yet I believe assuredly, that the unity of this catholic church cannot therefore, or for that cause, be any thing hurted, impeached, or infringed in any point, but that all the said churches do and shall continue still in the unity of this catholic church, notwithstanding any such diversity; nor that any of them ought to be reputed as a member divided or cut off from the same, for any such cause of diversity or difference used by them or any of them in the said points.

"And I believe that all the particular churches in the world, which be members of this catholic church, may all be called apostolical churches, as well as the Church of Rome, or any other church, wherein the apostles themselves were sometime resident: forasmuch as they have received and be all founded upon the same faith and doctrine that the true apostles of Christ did teach and profess. And I believe and trust assuredly, that I am one of the members of this catholic church, and that God of His only mercy hath not only chosen and called me thereunto by His Holy Spirit, and by the efficacy of His word and sacraments, and hath inserted and united me into this universal body or flock, and hath made me His son and inheritor of His kingdom; but also that He shall of His like goodness, and by the operation of the Holy Ghost, justify me here in this world and finally glorify me in heaven. And therefore I protest and acknowledge, that in my heart I abhor and detest all heresies and schisms, whereby the true interpretation and sense of scripture is or may be perverted. And do promise, by the help of God, to endure unto my life's end in the right profession of the faith and doctrine of the catholic church."

The "Institution" on the Ten Commandments

The commandments are expounded in a very clear and intelligible manner; and at the beginning of the exposition they are set forth exactly according to our modern division of them, and not according to the Roman method.[3] The chief interest of this exposition in connection with the history of the Reformation is in the treatment of the second commandment as regards the ecclesiastical use of images.

"By these words," it says, "we be utterly forbidden to make or to have any similitude or image to the intent to bow down to it or worship it." In former days the fathers of the Church had suffered the picture of God the Father to be set up in Churches to teach the people "that there is a Father in Heaven, and that He is a distinct person from the Son and the Holy Ghost." But it would be "more seemly for Christian people to be without all such images of the Father, than to have them."

Though, however, images may not be made to be bowed down to or worshipped,

> "Yet they be not so prohibited, but that they may be had and set up in churches, so it be for none other purpose but only to the intent that we (in beholding and looking upon them, as in certain books, and seeing represented in them the manifold examples of virtues which were in the saints represented by the said images) may the rather be provoked, kindled, and stirred to yield thanks to our Lord, and to praise Him in His said saints, and to remember and lament our sins and offences, and to pray God that we may have grace to follow their goodness and holy living. As for an example. The image of our Saviour, as an open book, hangeth on the cross in the rood, or is painted in cloths, walls, or windows, to the intent that beside the examples of virtues which we may learn at Christ, we may be also many ways provoked to remember his painful and cruel passion, and also to consider

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[3] This is, of course, adopted in the Roman "Institution of a Christian Man," the Catechism of the Council of Trent; where "Thou shalt not take the Name of the Lord thy God in vain" is given as the *Second* Commandment: our tenth being there the "ninth and tenth."

ourselves, when we behold the said image, and to condemn and abhor our sins which was the cause of his so cruel death, and thereby to profess that we will no more sin. And furthermore, considering what high charity was in Him that would die for us His enemies, and what great dangers we have escaped, and what high benefits we receive by His redemption, we may be provoked in all our distresses and troubles to run for comfort unto Him. All these lessons, with many more, we may learn in this book of the rood, if we will entirely and earnestly look upon it. And as the life of our Saviour Christ is represented by this image, even so the lives of the holy saints which followed Him be represented unto us by their images. And therefore the said images may well be set up in churches, to be as books for unlearned people, to learn therein examples of humility, charity, patience, temperance, contempt of the world, the flesh, and the Devil, and to learn example of all other virtues, and for the other causes above rehearsed. For which causes only images be to be set in the churches, and not for any honour to be done unto them. For although we use to cense the said images, and to kneel before them, and to offer unto them, and to kiss their feet, and such other things; yet we must know and understand, that such things be not nor ought to be done to the image's self, but only to God, and in His honour, or in the honour of the holy saint or saints which be represented by the said images."

But although this use of images in churches is thus explained and justified, the superstitions which had gathered around some images during mediaeval times, and which was about to be put down by law (as will be shown in the next chapter), is condemned in unsparing language. The clergy are enjoined to teach—

"That all they do greatly err which put difference between image and image, trusting more in one than another. . . . And they also that be more ready with their substance to deck dead images gorgeously and gloriously, than with the same to help poor Christian people, the quick and lively images of God, . . . and they also that so dote in this behalf that they make vows and go on pilgrimages even to the images, and there do call upon the same images for aid and help, fancying that either the image will work, or else some other thing in the image, or God for the image's sake; as though God wrought by images carved, engraven, or painted, brought once into churches, as He doth work by other His creatures. In which things if any person heretofore hath, or yet doth offend, all good and well learned men have great cause to lament such error and rudeness, and to put their studies and diligence for the reformation of the same."

It would be difficult to find more prudent and measured language than this for the purpose of setting forth the right and the wrong use of sculpture or painting for devotional purposes; and the tone adopted is happily in contrast with the fanatic language of the Puritan iconoclasts, whose foolish and wicked deeds have lost to the Church so many monuments of art, beauty, and devotional love.

In connection with this subject of idolatry it may be mentioned that the few pages which are given to an explanation of the "Ave Maria" end as follows:—

The "Institution" on the "Ave Maria"

"We think it convenient that all bishops and preachers shall instruct and teach the people committed to their spiritual charge, that this Ave Maria is not properly a prayer, as the Paternoster is. For a prayer properly hath words of petition, supplication, request, and suit, but this Ave Maria hath no such. Nevertheless the Church hath used to adjoin it to the end of the Paternoster, as an hymn, laud, and praise, partly of our Lord and Saviour Jesu Christ for our redemption, and partly of the Blessed Virgin, for her humble consent given and expressed to the angel at this salutation. Lauds, praises, and thanks be in this Ave Maria, principally given and yielded to our Lord as to the author of our said redemption: but herewith also the Virgin lacketh not her lauds, praise, and thanks, for her excellent and singular virtues; and chiefly for that she humbly consented, according to the saying of the holy matron St. Elizabeth, when she said unto this Virgin, Blessed art thou that diddest give trust and credence to the angel's words; for all things that have been spoken to thee shall be performed."

The "Institution" on the Sacraments

Before concluding this notice of the "Institution of a Christian Man" (which may be regarded as the great dogmatical document of the Reformation, and is therefore reviewed at such great length), it will be necessary to show in what manner it deals with the doctrine of the Sacraments.

The ancient classification of seven is retained, but three (those previously expounded in the Ten Articles of 1536) are distinguished from the other four as being of more dignity and general necessity, in the following terms:[4]—

"Although the Sacraments of Matrimony, of Confirmation, of Holy Orders, and of Extreme Unction, have been of long time past received and approved by the common consent of the Catholic Church, to have the name and dignity of sacraments, as indeed they be well worthy to have (forasmuch as they be holy and godly signs, whereby, and by the prayer of the minister, be not only signified and represented, but also given and conferred some certain and special gifts of the Holy Ghost, necessary for Christian men to have for one godly purpose or other, like as it hath been before declared); yet there is a difference in dignity and necessity between them and the other three Sacraments, that is to say, the Sacraments of Baptism, of Penance, and of the Altar, and that for divers causes. First, because these three Sacraments be instituted of Christ, to be as certain instruments or remedies necessary for our salvation, and the attaining of everlasting life. Second, because they be also commanded by Christ to be ministered

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[4] St. Thomas Aquinas also distinguishes three of the seven Sacraments from the others, but in his system they are Baptism, Penance, and Holy Order. [Summ. Theol., Quæst. lxv. Art. iv.]

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and received in their outward visible signs. Thirdly, because they have annexed and conjoined unto their said visible signs such spiritual graces as whereby our sins be remitted and forgiven, and we be perfectly renewed, regenerated, purified, justified, and made the very members of Christ's mystical body, so oft as we worthily and duly receive the same."

The expositions of the three principal Sacraments thus distinguished from the other four are simply a reprint of the second, third, and fourth of the Ten Articles, without any addition whatever: and these having been already reviewed in a previous part of this chapter, nothing more need be said about them. To go on, then, to what the "Institution" says about the other four,

MATRIMONY comes first in order. This is declared to have been originally instituted by Almighty God in Paradise; the institution of it being repeated and renewed, and sanctified and blessed with His holy word, immediately after Noah's flood; and subsequently accepted, approved, and allowed by Christ Himself, with words and works testifying the same. The outward part of the Sacrament is stated to be the "contract, made by express words, or other signs equivalent, declaring the consent between such persons as may lawfully and by the order of God's law be joined together in marriage." The spiritual and invisible graces received by virtue of it are said to be several, of which one is that the matrimonial act is taken out of the category of things in themselves sinful, and made pure and honourable, so as to be "acceptable afore God." A second grace is that "whereby the persons conjoined in matrimony do attain everlasting life if they bring up their children in the true faith and observance of Christ's religion."

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The general tone of the exposition given of Holy Matrimony is very similar to that of the two exhortations in our Marriage Service, the first of which was itself constructed out of a mediæval original; and there is no substantial difference between what is taught in it and what would be taught by English theologians of the present day.

CONFIRMATION is declared to be a modified form of the apostolic imposition of hands. By the latter was conveyed not only the ordinary, but also the extraordinary gifts of the Holy Ghost: and the "holy fathers of the Primitive Church" ordained that the imposition of hands on all baptized persons should be continued for the purpose of conveying to them the ordinary gifts for the purpose of ordinary Christian life. Confirmation by the bishops, therefore, that is by their prayers, laying on of hands, and consignation with holy chrism, corroborates and establishes in the gifts and graces before received in baptism, and enables the confirmed to retain them firmly, to persevere therein, to become strong and hardy Christians, to confess their faith boldly and manfully, to resist and fight against their spiritual enemies, patiently to bear the Cross of Christ, and to attain increase and abundance of all other gifts of the Holy Ghost. The exposition ends with the declaration perpetuated in the rubric at the end of our Baptismal Office, that baptized infants, even if unconfirmed, are saved by their baptism if they die before committing actual sin.

HOLY ORDERS are declared to have been instituted by Christ and His apostles in the New Testament, that in addition to the civil powers of the world, the *potestas gladii*, there might be "continually in the

CHAP VIII A.D. 1537 Church militant certain ministers who should have special power, authority, and commission, under Christ, to preach and teach the Word of God unto His people, to dispense and administer the sacraments of God unto them, and by the same to confer and give the graces of the Holy Ghost," to consecrate the blessed body of Christ in the sacrament of the altar, to absolve and to excommunicate, to ordain and consecrate others to the ministerial offices, and generally "to feed Christ's people like good pastors and rectors (as the apostle calleth them) with their wholesome doctrine."

This sacerdotal power and authority is not an unlimited one, but restrained to the ends for which God ordained it, as before rehearsed. It is to be retained for three special and principal causes: (1) Because God has clearly commanded so in Holy Scripture; (2) because He has given no other ordinary means by which men can partake of the reconciliation of Christ and the gifts of the Holy Spirit except His Word and Sacraments administered by those in holy orders; (3) because a ministry so ordained is the means or instrument which God uses for the administration of everlasting life to those who believe in and obey Him.

The visible and outward sign of holy orders is defined as "the prayer and imposition of the bishop's hands upon the person which receiveth" the grace of the sacrament. The gift or grace itself is said to be "nothing else but the power, the office, and the authority before mentioned."

The exposition then goes on to elaborate an argument as to the efficacy of sacraments received at the hands of unworthy ministers, which is represented by the statement contained in the 26th of the Thirty-nine Articles of Religion: after which follows an excellent statement on the subject of jurisdiction. This is declared to consist of three special parts. (1.) First is that by which obstinate sinners are excommunicated or absolved,—a jurisdiction extending only to the soul, and not carrying with it any power of "violence or constraint corporal." (2.) Secondly is the jurisdiction by which holy orders are conferred. In respect to this a distinction is made between the presentation and nomination and the transmission of the spiritual gifts of the ministry. The former are a human ordinance, and must be regulated by the law and custom of the country. "As for an example, within this realm the presentation and nomination to the bishoprics appertaineth unto the kings of this realm; and of other lesser cures and personages some unto the King's highness, some unto other noble men, some unto bishops, and some unto other persons whom we call the patrons of the benefices, according as it is provided by the orders of the laws and ordinances of this realm." (3.) The third part of jurisdiction is that of making and ordaining all rules relating to the observance of holy days, the ministrations of the sacraments, the customs of Divine service, the ornaments of ministers, and all other rites and ceremonies of the Church.

The subject of jurisdiction naturally leads on to that of the claims made by the Pope; and the exposition concludes with one of the best condensed arguments against them that was ever written. It is shown that these claims had no foundation in Holy Scripture; that the bishops of Rome gradually acquired their power, partly by the necessities of

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special times, partly by usurpation; and that it was opposed to the true constitution of the Catholic Church.

The "Institution" on the Royal Supremacy

Finally, the Royal Supremacy is defined in the following clear terms, which may be taken as expressing in 1537 the very same principles that are still held three centuries and a half afterwards by the Church of England:—

> "Moreover, the truth is, that God constituted and ordained the authority of Christian kings and princes to be the most high and supreme above all other powers and offices in the regiment and governance of his people; and committed unto them, as unto the chief heads of their commonwealths, the cure and oversight of all the people which be within their realms and dominions, without any exception. And unto them of right, and by God's commandment, belongeth, not only to prohibit unlawful violence, to correct offenders by corporal death or other punishment, to conserve moral honesty among their subjects, according to the laws of their realms, to defend justice, and to procure the public weal, and the common peace and tranquillity in outward and earthly things; but specially and principally to defend the faith of Christ and His religion, to conserve and maintain the true doctrine of Christ, and all such as be true preachers and setters forth thereof, and to abolish all abuses, heresies, and idolatries, which be brought in by heretics and evil preachers, and to punish with corporal pains such as of malice be occasioners of the same; and finally to oversee and cause that the said priests and bishops do execute their said power, office and jurisdiction truly, faithfully, and according in all points as it was given and committed unto them by Christ and His Apostles; which notwithstanding, we may not think that it doth appertain unto the office of kings and princes to preach and teach, to administer the sacrament, to absoyle, to excommunicate, and such other things belonging to the office and administration of bishops and priests; but we must think and believe, that God hath constituted Christian kings and princes

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to be as the chief heads and overlookers over the said priests and bishops, to cause them to administer their office and power committed unto them purely and sincerely; and in case they shall be negligent in any part thereof, to cause them to supply and repair the same again. And God hath also commanded the said priests and bishops to obey, with all humbleness and reverence, all the laws made by the said princes, being not contrary to the laws of God, whatsoever they be; and that not only *propter iram*, but also *propter conscientiam*."

What the "Institution of a Christian Man" says respecting EXTREME UNCTION may be summed up in a few words. (1) The Apostles were sent forth by Christ to heal the sick, anointing them with oil. (2) St. James, endued with the Holy Spirit of Christ, commanded that the sick should be anointed with oil in the name of the Lord, adding the promise that if this unction was done in faith the sick man should be "set on foot again" by God, and his sins forgiven him. (3) That the holy fathers of the Church had seen fit to continue this custom as a means for the alleviation and mitigation of the diseases and maladies that attack both the souls and bodies of Christian men. (4) That thus the inward grace of anointing is partly bodily, partly spiritual healing. Some superstitions of the common people are then denounced, and it is recommended that Extreme Unction should not be delayed to the last, and that it should be followed by administration of the Holy Eucharist to the anointed sick person.

Having thus glanced at the contents of this important book, we may now return to its history, of which, unfortunately, we possess a very meagre account.

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Further history of "The Institution"

In July 1537, Fox, Bishop of Hereford, who seems to have taken a forward part in the compilation of the book, wrote to Cromwell about printing it, saying that the MS. is not yet complete, some notes to the Creed which had been agreed upon not being yet copied out.[5] On July 21st, Archbishop Cranmer also wrote to Cromwell from Lambeth, saying that the commission assembled there had nearly finished their work, having "already subscribed unto the declarations of the Paternoster and the Ave Maria, the Creed, and the Ten Commandments, and there remaineth no more but certain notes of the Creed, unto the which we be agreed to subscribe on Monday next." He then begs that they may have the King's license to dissolve and leave London, where the plague was carrying off people at his very gate.[6] Latimer writes to the same effect, adding that he believes the book would have been finished that day had it not been for the illness of Bishop Fox, "to whom surely we owe great thanks for his great diligence in all our proceedings." He also wrote on August 25th, saying that the printing had been delayed by the death of Fox,[7] who had been carried off in the interval by the plague.

One lucid glimpse we get from Latimer also at the proceedings of the Commission. He hopes that when the book

> "is done it will be well and sufficiently done, so that we shall not need to have any more such doings, for verily for

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[5] State Papers, i. 555.

[6] Jenkyns' Cranmer, i. 189. A strong contrast this to Wolsey, whom no persuasions, even from the King himself, could induce to leave London during the dreadful sweating sickness of some years before, though the court and nearly all officials had fled.

[7] State Papers, i. 559.

> my part, I had lever be poor parson of poor Kynton again than to continue thus Bishop of Worcester; not for any thing that I have had to do therein or can do, but yet forsooth it is a troublous thing to agree upon a doctrine in things of such controversy, with judgments of such diversity, every man, I trust, meaning well, and yet not all meaning one way. But I doubt not now in the end we shall agree both one with another, and all with the truth, though some will then marvel."

Poor Latimer's homely and untheological mind was not made for taking part in such a work as this; and the evident sigh of relief with which he looks forward to getting away from a troublous scene, in which exact learning and logic were wanted more than good stories and rough-and-ready language, is very amusing.

The "Institution of a Christian Man" was, however, completed, and sent to the King as the work of the whole commission. He sent it back with the order to have it printed, saying that he had not time to read it, but trusted to them for its being according to Scripture. It was accordingly printed, with a royal command that all who had cure of souls should read a portion of it every Sunday and holyday for three years, and preach conformably thereto.[8] On September 10, 1537, Archbishop Cranmer issued a mandate to his clergy, through the Dean of Bocking, enforcing this order, "vobis mandamus, uti omnes et singulos clericos, quibus cura animarum committitur, moneatis ut voluminis prædicti partem, sub pœna prædicta, ordine singulis diebus dominicis clara apertaque voce et suggesto populo legant."[9] Archbishop Lee also issued an injunction to the same effect for the province of York. The book

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[8] Jenkyns' Cranmer, i. 188, n.

[9] Wilkins' Concil., iii. 827.

How the book was received

was much disliked by the anti-Church party, as indeed any true statement of Church-of-England doctrine as a whole must always be disliked by them; and some of the Conservative party made its publication an opportunity for indecorous triumph over the favourers of the new learning:[1] but there is no reason to think that it was less unanimously received by the peaceable clergy and laity than it had been adopted by the whole body of the bishops and other divines who formed the commission. It probably went through several editions, and a beautiful duodecimo copy has come down to our age, which seems to show that it was circulated very generally among the laity,—as well as officially among the clergy.[2]

Preparations for a revised edition

The volume had not been long in print before the King found time to read it, and also to make annotations upon its contents—his annotated copy being still preserved in the Bodleian Library.[3] The royal theologian sent this copy to Cranmer, who began to heap annotations on annotations in the same volume, but eventually recorded his criticisms in a separate MS., which is preserved in the Library of Corpus Christi College at Cambridge. In returning the volume and these to the King by Cromwell, on January 25, 1538, Cranmer trusts the King's Highness will pardon his presumption that he has been

> "so scrupulous, and as it were a picker of quarrels to his Grace's book, making a great matter of every light fault, or

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[1] See Letters from and to Cranmer, Jenkyns' Cranmer, i. 208, 216, 221.

[2] Tanner, 71. It is singular that this little volume is dated 1534 on the ornamental border of the title-page. The colophon is destroyed, but there can be hardly a doubt that the date was originally used for some earlier, as it afterwards was for a later volume.

[3] Rawl., 245.

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> rather where no fault is at all; which I do only for this intent, that because the book now shall be set forth by his Grace's censure and judgment, I would have nothing therein that Momus could reprehend: and yet I refer all mine annotations to his Grace's most exact judgment; and I have ordered my annotations so by numbers that his Grace may readily turn to every place; and in the lower margin of this book, next to the binding, he may find the numbers which shall direct him to the words whereupon I make the annotations: and all those his Grace's castigations which I have made none annotation upon, I like them very well: and in divers places also I have made annotations, which places nevertheless I mislike not, as it shall appear by the same annotations."[4]

Latin translation of "the Institution"

From this it appears that a corrected edition was projected in 1538, but it does not appear that the design was carried out. The book was used in its original form for about seven years, and was translated into Latin by direction of the King. This fact we learn from a letter written by the Privy Council to Dr. Wotton, when he was sent on a mission to the Diet of Spires. The letter is dated March 6, 1543-4, and contains the following passage:

> "Furthermore, ye shall receive herewith four books of the Institution of a Christian, set forth first in English by the King's Majesty, with the advice of his learned men, for the establishment of Christian religion amongst his Highness' subjects, and now lately by his Majesty's commandment translated into Latin. And forasmuch as it is thought that at this Assembly matters of religion shall be diversely debated of sundry men, his Majesty hath thought convenient to send the said books unto you, to the intent it might appear to the Emperor how conformable to Christ's doctrine, the institution of His holy Church, the learning is which his Majesty hath ordained to be taught to his Highness' people. For the which

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[4] Jenkyns' Cranmer, i. 228.

purpose his Majesty's pleasure is you shall, on his behalf, present one or two of them to Mons^r^ Granvele with his Majesty's hearty commendations, and in the delivery of the same so to handle the matter as it may appear to Granvele that you desire, as of yourself, and would wish that it would like the Emperor to take one of the books out of his hands: wherein you may say (and say the truth) he shall see a sincere and upright judgment touching Christian religion, and a doctrine conformable to Holy Scripture and the Catholic Church of Christ."[5]

The "Necessary Doctrine and Erudition" a revision of "the Institution"

Shortly after this, however (and perhaps in consequence of the review of the "Institution" entailed by its translation into Latin), it was determined to issue a new edition. One chief reason for this appears to have been that it was inconvenient to have the exposition of the Creed divided and printed in two separate parts of the volume, partly in the form of a paraphrase, and partly in that of notes and observations. These were, therefore, combined into one commentary on the Creed, and had, of course, to undergo much alteration before the process of combination could produce a satisfactory result. It was then natural that other revisions should be suggested and adopted, and the articles on the Sacraments of Baptism and the Holy Eucharist, as well as those on Penance and Holy Orders, were much extended.

This work of revision was undertaken by Convocation, which sat between April 4 and May 12, 1543; but they plainly adopted the annotations made by Cranmer, here and there one made by the King, and perhaps some from other quarters. The revised work was in print by May 29, 1543, and was published in English under the new name of "A Neces-

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[5] State Papers, ix. 615.

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sary Doctrine and Erudition for any Christian Man," with a preface or letters patent from the King appended.[6] A Latin translation under the old title, "Pia et Catholica Christiani Hominis Institutio," was printed by Berthelet in the following year, being completed, as appears from the colophon, on February 18, 1544–5. It was substantially identical with the "Institution of a Christian Man," and was evidently intended to be so, but in some parts that work has been condensed, and in others expanded, in its passage through the revising hands of the Convocation. Perhaps the revision was an impolitic step, for the "Erudition" seems to have been little known and little used; while, at the same time, the issue of a revised work would naturally diminish the credit and authority of that of which it was a revision.[7]

Other important doctrinal movements

But the revised publication just noticed marks the last, or nearly the last, action of this reign in the matter of doctrine; and before it was issued, two important steps had been taken, the one to promote doctrinal union between Continental and English reformers, the other to enforce uniformity of doctrine in England. The first was attempted by means of a conference with Lutheran divines, the second by the Statute known as the Act of the Six Articles: which, in fact, arose out of the conference in question.

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[6] Hence called the "King's Book," but this name was given to several other volumes, including the "Institution."

[7] There are extant, however, three English editions of the "Erudition," printed in 1543 and Dec. 1545, and one Latin in Feb. 1545. Both it and the "Institution" were reprinted by Bishop Lloyd in 1825 (with the Ten Articles), under the title "Formularies of Faith in the Reign of Henry VIII." See also "The Doctrine of the Church of England," 1868.

Early conferences with the German Protestants

An attempt had been made, as early as 1535, to establish some common action between the German reformers and the English Church. Dr. Barnes (at that time resident in England again under the patronage of Anne Boleyn) was sent to the princes of the Augsburg Confession with a communication from the King; and was joined, not long afterwards, by Fox, Bishop of Hereford, and Heath, Archdeacon of Stafford, and afterwards Archbishop of York. Barnes had become acquainted with Luther, Melancthon, Justus Jonas, and other leading reformers, during his exile, and had also been in favour with the Duke of Saxony: and he was doubtless chosen for the embassy because of these qualifications. But the "Smalcaldic League" of Protestant princes and states would only agree to receive the King's proposals of a treaty on condition that, among other things, he would accept the title of "Patron and Protector of the League," defend it against foes, and subscribe to the Confession of Augsburg.[8] The King declined to subscribe to this as it stood, and requested that "orators," and some learned men with them, might be sent to England by the German Protestant states to confer, talk, and commune upon the same. Some theological conferences took place at Wittenberg between Bishop Fox, Heath, and Barnes on the one side, and Luther, Melancthon, with several other German divines, on the other: and these resulted in thirteen articles of religion, which were drawn up as a basis of union.[9] But nothing came of these negotiations at the time, and

The thirteen articles of religion

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[8] Lord Herbert's Life of Henry VIII., p. 441.

[9] These are printed in Jenkyns' Cranmer, iv. 273, from a copy in the State Paper Office. They are largely borrowed from the Confession of Augsburg.

they dropped altogether until 1538. In that year, Henry again wished to strengthen his hands against a foreign invasion by gaining over the princes of Germany to his side: and he sent a confidential agent to them when they were assembled at Brunswick, with protestations of his zeal against the Bishop of Rome. He again urged them to send over Melancthon and other divines to England that a conference might be held, and they agreed to do so.

The chief persons selected for this embassy were Francis Burckhardt, vice-chancellor to the Elector of Saxony, George à Boyneburg, a doctor of laws and nobleman of Hesse, and Frederic Myconius, formerly a Franciscan, but now a follower of Luther. Melancthon's gentle spirit might have had a good effect in this conference, but he could not be spared from political and university duties which required his presence at Wittenberg.

Last attempt at union with the Lutherans

The embassy reached England in June 1538, Burckhardt, its leader, bearing a letter to the King in which he was earnestly requested to promote union among the reformers. Henry appointed a commission of divines to confer with them, consisting of Archbishop Cranmer, two other bishops, and four doctors. These German "orators" remained in England until September 1538, discussing with their English associates all the subjects of faith which were then in controversy. The King himself took part in the discussion, which seems to have been of a hopeful character so long as it was confined to the principal doctrines of the Creed, but broke down as soon as the Sacraments were taken into consideration. The thirteen articles partly agreed upon in 1535 were again brought forward, but these did not embrace the points on which most difficulty was likely to arise: and on these the "Ten Articles" of 1536 and the "Institution of a Christian Man" had expressed a decided and authoritative opinion. The Lutheran envoys departed in some haste, returning indeed for a short time in the following year, and returning with power to make important concessions, but the attempt to unite the Lutherans in one common doctrine with the Church of England altogether failed as soon as the Sacraments came under consideration, and union proved to be hopeless.[1] Much labour and learning was expended over the negotiations, and a large body of MSS. connected with them still remains among the State Papers: but it is not difficult now to see that they were hopeless from the first, as neither the King nor the English divines were prepared to give up the theology lately elaborated in the Institution of a Christian Man, while the Germans had almost as great a respect for the Confession of Augsburg as they had for the Holy Bible.

The reactionary Act of Six Articles

The effect of the conference was, indeed, of a reactionary character; for the special subjects on which the two parties of theologians had been unable to come to an agreement were brought so prominently forward, and such strong views upon them had been suggested to the mind of the King,[2] that he was determined to have a more distinct statement of them drawn up and imposed upon all by statute as the standard of doctrine in those special particulars. The result was the enactment of the Statute of the Six Articles, by which the King strove to make his subjects measure their religion by the royal foot, if he could not compel the foreign Lutherans to do so.

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[1] A long account of these transactions is given in Strype's Eccl. Mem., i., chaps. 32 and 34, with documents in the Appendix. His chief authority is Seckendorf's "Commentarius Historicus et Apologeticus de Lutheranismo." The Thirteen Articles (and not the Augsburg Confession, as is sometimes supposed) were used in the compilation of the Articles of Religion in Edward VI.'s time.

[2] It must also be remembered that the public disputation with Lambert on the subject of the Real Presence had lately been held before the King in Westminster Hall. See Chap. XI.

CHAP. VIII.

A.D. 1539

History of the Act of Six Articles

This Statute [31 Henry VIII. cap. 14] was entitled "an Act for abolishing of diversity of opinions in certain articles concerning Christian religion." Its popular name was derived from the six "articles" or theological statements which it contained relating to the Holy Eucharist, vows of celibacy and confession: but from the severity of its penal clauses it acquired the still more popular sarcastic title of the "whip with six strings." The history of this Act is as follows. In the Parliament of 1539 the Lord Chancellor Audley, in making the customary opening speech on behalf of the sovereign, announced that it was the King's wish to quiet all controversies, and bring his subjects to an uniformity of belief in all matters of religion. He then suggested that a committee should be appointed for the purpose of considering those questions about which there was especial disagreement, and of drawing up articles of uniformity to be laid before Parliament with a view to their statutory enactment. This committee, appointed on May 5th, 1539, consisted of the vicar-general and twelve bishops, as follows:—

Lord Cromwell.
Cranmer, Archbishop of Canterbury.
Lee, Archbishop of York.
Tunstal, Bishop of Durham.
Gardiner, „ Winchester.
Clerk, „ Bath and Wells.
Bird, „ Bangor.

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Aldrich, Bishop of Carlisle.
Barlow, „ St. David's.
Goodrich, „ Ely.
Hilsey, „ Rochester.
Shaxton, „ Salisbury.
Latimer, „ Worcester.

Six questions were submitted to this committee by the King, which are stated in the preamble of the Act, and which are simply the six articles in an interrogatory instead of in the affirmative form. It is believed that these questions were drawn up by the King himself, and under these circumstances they must be looked upon as foregone conclusions to which he required the assent of the bishops for the sake of giving them an ecclesiastical colour.

For eleven days these questions were discussed by the bishops, who, it is alleged, were divided into two equal parties, led respectively by the two archbishops, Cranmer and Lee. Whether this was the case or not, at the end of the eleven days it was announced by Cranmer that the committee was unable to come to any conclusion respecting the business intrusted to them. Thus it may be said to have lapsed into the hands of the civil power, as perhaps was intended by the King. On May 16th, therefore, the six questions were put into the hands of the House of Lords by the Duke of Norfolk. They were discussed by the bishops—the lay lords accepting them at once—for three days, on one of which the King himself was present, and is said to have taken part in the debate, as he sometimes did on other occasions. A committee of the bishops was again appointed, on May 23rd, to confer with the King during the short prorogation of a week which then took place; and on the 31st, when Parliament met again, the Lord Chancellor brought down a message from the King, stating that he and the bishops had come to an unanimous conclusion. An odd way of giving force to this conclusion was then contrived, two committees being appointed to draw up two drafts of a statute, of which one was to be selected for enactment by Parliament. Neither of these was chosen, and the form of statute ultimately adopted was drawn up by the King himself, who had large experience in making such drafts. Meanwhile the six questions had been submitted, on June 2nd, to a *pro formâ* meeting of Convocation, in which the prolocutor was the only member of the Lower House present, and they were all answered in the affirmative.[3]

The Act drafted by the King himself

The Bill framed on these questions was introduced into the House of Lords on June 7th by Archbishop Lee, Archbishop Cranmer being present and voting for it. On the 9th and 10th of June it was read a second and third time, Cranmer still voting for it. After some amendments made in the House of Commons, the Bill eventually received the royal assent on June 24, 1539, and became operative on July 12th. From these circumstances it is clear that the opposition which Cranmer had undoubtedly offered to this enactment in its preliminary stages had been withdrawn, probably in deference to the King, when it came formally before the House of Lords.[4]

Cranmer agrees to the Act

We now come to the substance of the Act itself as it finally became law.

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[3] Wilkins' Concil., iii. 845, 848.

[4] This is made almost a certainty by Dean Hook, in his Life of Cranmer. Lives of the Archbishops of Canterbury, 2nd series, vol. ii. p. 46. Foxe says that "in this Parliament, Synod, or Convocation"—as if all three were alike—"certain articles . . . were *decreed by certain prelates!*"

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Contents of the Act of Six Articles

The preamble begins with stating the great advantages of unity, and the mischiefs that result from diversity of opinion. That such an unity might be charitably established throughout the kingdom, the King has caused Parliament and Convocation to be summoned. And forasmuch as in the said Parliament, Synod, and Convocation, there were certain articles, matters, and questions proposed and set forth touching Christian religion (the six questions are then stated), the King caused these articles to be considered, and "most graciously vouchsafed in his own princely person to descend and come into his High Court of Parliament and Council, and there, like a prince of most high prudence and no less learning, opened and declared many things of great learning and high knowledge touching the said Articles," whereupon they were resolved and agreed upon in manner and form following; that is to say:—

The Six Articles themselves

"*First*, That in the most blessed Sacrament of the Altar by the strength and efficacy of Christ's mighty word (it being spoken by the priest), is present really, under the form of bread and wine, the natural Body and Blood of our Saviour Jesus Christ, conceived of the Virgin Mary; and that after the consecration there remaineth no substance of bread or wine, nor any other substance, but the substance of Christ, God and Man.

"*Secondly*, That the communion in both kinds is not necessary 'ad salutem,' by the law of God, to all persons: and that it is to be believed, and not doubted of, but that in the flesh, under form of bread, is the very Blood, and with the Blood, under form of wine, is the very Flesh as well apart, as though they were both together.

"*Thirdly*, That priests, after the order of priesthood received, as before, may not marry by the law of God.

"*Fourthly*, That vows of chastity or widowhood, by man or woman made to God advisedly, ought to be observed by the law of God; and that it exempteth them from other liberties of Christian people, which, without that, they might enjoy.

"*Fifthly*, That this is meet and necessary, that private Masses be continued and admitted in the King's English Church and Congregation; as whereby good Christian people, ordering themselves accordingly, do receive both godly and goodly consolations and benefits; and it is agreeable also to God's law.

"*Sixthly*, That auricular confession is expedient and necessary to be retained and continued, used and frequented, in the church of God."

The Act then goes on to say that Parliament gives great thanks to his Majesty for his godly pains and travail; and desiring that the said Articles may be established, enacts that offenders against the first shall be adjudged heretics, and shall be burned, and shall forfeit their goods as in cases of high treason; while offenders against the other five shall suffer and forfeit as in cases of felony.

In the remaining clauses provision is made for the appointment of commissioners in every shire to meet four times a year for inquiry concerning heresies; which are also to be inquired into by the ordinaries, the justices of the peace, and stewards of hundreds. Every clergyman having cure of souls is also required to read the Act in his parish church four times every year. The last clause enacts that vows are only to be binding when taken by persons above twenty-one years of age.

Results of the Act of the Six Articles

The Act of the Six Articles justly acquired a bad name for its penal clauses, which (although of the same character as those in other Acts against heresy) were made more severe by the exactness with which the theological statements were made, an exactness precluding evasion. Yet, strange to say, all extant evidence tends to show that the labour and pains expended on it were mere state-craft, and its penal clauses little more than sound and fury! Historians commonly follow Lord Herbert in saying that persons "suffered daily" under this Act; but Lord Herbert's authority was Foxe, and Foxe says only, "What unity thereof followed, the groaning hearts of a great number, and also *the cruel death of divers*, both in the days of King Henry and of Queen Mary, can so well declare, I pray God never the like be felt hereafter."[5] Now the Act of Six Articles was repealed by 1 Edw. VI. cap. 12, and was never revived, so that none of those condemned in Queen Mary's days could have been condemned under this cruel statute. It simply has nothing whatever to do with the "days of Queen Mary." Moreover, it was in operation for eight years during the reign of Henry VIII., and out of the twenty-eight persons executed during those years on account of their religion, very few indeed, if any, were condemned under this statute. It may have been that some were imprisoned under it, and that many were driven out of the country through fear of it, but such cases are not recorded; and when we consider the great industry of Foxe and Strype in collecting reports of such cases, the absence of them in this particular instance is an evidence of some importance.[6]

In spite, therefore, of the obloquy which has always been associated with the name of this Act, we are absolutely driven to the conclusion that it was only intended to strike terror into the hearts of the people,

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[5] Foxe's Acts and Mon., v. 262, ed. 1837.

[6] Even Dr. Barnes was attainted by Parliament, and did not suffer under this statute.

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which it did very effectually. Possibly some knowledge of such an intention had been conveyed to Cranmer, and had overcome his opposition : for it is certain he did not oppose it (as stated by Foxe) in Parliament. But whatever the explanation of it, the fact is beyond dispute that the most cruel act against heretics that disgraced our Statute Book, so far as words go, was so administered or so neglected that it was practically inoperative.[7] The key of its practical operation was, indeed, the appointment of commissioners for searching out and trying heretics : but the appointment was suspended for a year, at least in London, and probably elsewhere, so that for a while the Act remained all but a dead letter. In the beginning of 1543, another Act was passed [35 Hen. VIII. cap. 5] "concerning the qualification of the Statute of the Six Articles," and this (which much lessened the power of the executive, and made secret information or trial illegal) appears to have been passed because the Statute which it modified had in some cases been brought into operation.

The Act of Six Articles was certainly a dead letter in one respect. It produced no real uniformity of opinion. So far was it from doing so that it caused a rapid under-current of reaction against the very doctrines it was intended to uphold : and when the strong hand of the King ceased to hold it in check, this reaction broke forth at once in a manner that would have astonished him if he could have witnessed it.

During the remainder of Henry's reign there were no further direct dealings with doctrine, and what was done respecting changes in divine service, religious customs, and the translation of the Holy Scriptures, is noticed in other chapters. We may, therefore, conclude our review of the doctrinal reformation of this reign with the remark that its importance has been very much underrated; and that, so far as it was an ecclesiastical movement, it settled the doctrine of the Church of England on very nearly its present footing. This was done by means of the two works which have been reviewed at length in the preceding pages, the "Institution of a Christian Man," and the "Necessary Doctrine and Erudition" which was afterwards compiled from its contents. It is also worthy of remark that this settlement of doctrine was entirely the work of the clergy.

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[7] It would be very pleasant to find that the mendicancy acts were equally inoperative as to their worst penal clauses.

CHAPTER IX

MODIFICATION OF THE DEVOTIONAL SYSTEM OF THE CHURCH OF ENGLAND IN THE REIGN OF HENRY THE EIGHTH

[A.D. 1535—A.D. 1544]

CHAP IX

THE same influences which led to a re-construction of the doctrinal system of the Church of England, and which were glanced at in the opening of the last chapter, were also leading to a re-construction of its devotional system. In mediæval times most persons had been disposed to take everything for granted which came to them on respectable authority. When a reaction from this submissiveness of intellect arose, many went to the opposite extreme, and were disposed to take nothing for granted however respectable the authority on which it came, and to disbelieve all that had been previously believed. Under the first influence men grew superstitious in their belief, under the second they became superstitious in their incredulity: the one unreasonably afraid of believing too little, the other quite as unreasonable in the fear of believing too much.

Extremes of credulity and incredulity

The conflict between these two schools of thought influenced the minds of sensible and judicious men very conspicuously in the earlier portion of the Reformation epoch, and even the most conservative were convinced that the time had come when much which had been received without doubt, and practised without question, must cease to form any part of the theory and practice of religion. Hence there was a growing tendency to look upon many customs which had sprung up in the Church of England as superstitious, and a growing desire that they should be abolished: with this feeling there was also aroused another that customs which were not superstitious might yet be obsolete and inexpedient; and that in respect to these also a change was required.

A middle school of thought

Abundant evidence that these three schools of thought existed is extant in the publications of the period: and, as might be expected, there is no want of evidence to show that those who felt the responsibility of their position as leading men in the Church, belonged generally to the intermediate class, who were influenced by both sides so far as each had good sense to support it, and who had no sympathy with the fanaticism of either.[1]

Such a state of opinion on the part of leading men in the Church would naturally lead to a grave review of our devotional system, and under the circumstances a review of it would be the last step on the way towards a reformation of it.

The rest of the Ten Articles

The first decided movement in this direction was made by the Ten Articles of 1536, the latter five of

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[1] Lord Chancellor Audley writes to Cromwell from Old Ford, on Sept. 13, 1535, and among many other matters of business mentions a printed book about the taking away of Images, which he sends. He says that in the parts where he has been he has found much discord on the subject of worshipping saints and images, creeping to the cross, and such like ceremonies, and thinks it would be advisable to silence all such controversies until the King gave some final order respecting them. State Papers, i. 447.

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which were put forth under the title of "Articles concerning the laudable ceremonies used in the Church." These treat respectively of the subjects of images, the honour due to saints, the invocation of saints, rites and ceremonies, and purgatory: and the weighty character of the authority under which they were issued makes it desirable to give them at full length; taking up the document where it was dropped in the last chapter.[2]

The ecclesiastical use of images

[VI.] "AND FIRST OF IMAGES.—As touching images, truth it is that the same have been used in the Old Testament, and also for the great abuses of them sometimes destroyed and put down; and in the New Testament they have been also allowed, as good authors do declare. Wherefore we will that all bishops and preachers shall instruct and teach our people committed by us to their spiritual charge, how they ought and may use them. And first, that there may be attributed unto them, that they be representers of virtue and good example, and that they also be by occasion the kindlers and stirrers of men's minds, and make men often remember and lament their sins and offences, especially the images of Christ and our lady; and that therefore it is meet that they should stand in the churches, and none otherwise to be esteemed: and to the intent the rude people should not from henceforth take such superstition, as in time past it is thought that the same hath used to do, we will that our bishops and preachers diligently shall teach them, and according to this doctrine reform their abuses, for else there might fortune idolatry to ensue, which God forbid. And as for censing of them, and kneeling and offering unto them, with other like worshipping, although the same hath entered by devotion, and fallen to custom; yet the people ought to be diligently taught that they in no ways do it, nor think it meet to be done to the same images, but only to be done to God, and in His honour, although it be done before the images, whether it be of Christ, of the cross, or of our lady, or of any other saint beside.

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[2] See page 443.

Reverence towards the saints

[VII.] "OF HONOURING OF SAINTS.—As touching the honouring of saints, we will that all bishops and preachers shall instruct and teach our people committed by us unto their spiritual charge, that saints now being with Christ in heaven be to be honoured of Christian people in earth; but not with that confidence and honour which are only due unto God, trusting to attain at their hands that which must be had only of God; but that they be thus to be honoured, because they be known the elect persons of Christ, because they be passed in godly life out of this transitory world, because they already do reign in glory with Christ; and most specially to laud and praise Christ in them for their excellent virtues which He planted in them, for example, of and by them to such as are yet in this world to live in virtue and goodness, and also not to fear to die for Christ and His cause, as some of them did; and finally to take them, in that they may, to be the advancers of our prayers and demands unto Christ. By these ways, and such like, be saints to be honoured and had in reverence, and by none other.

Invocation of the saints

[VIII.] "OF PRAYING TO SAINTS.—As touching praying to saints, we will that all bishops and preachers shall instruct and teach our people committed by us unto their spiritual charge, that albeit grace, remission of sin, and salvation, cannot be obtained but of God only by the mediation of our Saviour Christ, which is only sufficient Mediator for our sins; yet it is very laudable to pray to saints in heaven everlastingly living, whose charity is ever permanent, to be intercessors, and to pray for us and with us, unto Almighty God after this manner: All holy angels and saints in heaven pray for us and with us unto the Father, that for His dear Son Jesus Christ's sake we may have grace of Him, and remission of our sins, with an earnest purpose (not wanting ghostly strength), to observe and keep His holy commandments, and never to decline from the same again unto our lives' end: and in this manner we may pray to our blessed lady, to St. John Baptist, to all and every of the apostles or any other saint particularly, as our devotion doth serve us; so that it be done without any vain superstition, as to think that any saint is more merciful, or will hear us sooner than Christ, or that any saint doth serve for one thing more than other, or is patron of the same. And likewise we must keep holydays unto God, in memory of Him and His saints, upon such days as the church hath ordained their memories to be celebrated; except they be mitigated and moderated by the assent or commandment of us the supreme head, to the ordinaries, and then the subjects ought to obey it.

Ritual usages of the Church

[IX.] "OF RITES AND CEREMONIES.—As concerning the rites and ceremonies of Christ's church, as to have such vestments in doing God service, as be and have been most part used, as sprinkling of holy water to put us in remembrance of our baptism, and the blood of Christ sprinkled for our redemption upon the cross;[3] giving of holy bread, to put us in remembrance of the sacrament of the altar, that all Christian men be one body mystical of Christ as the bread is made of many grains, and yet but one loaf, and to put us in remembrance of the receiving the holy sacrament and body of Christ, the which we ought to receive in right charity; which in the beginning of Christ's church, men did more often receive than they use nowadays to do; bearing of candles on Candlemas-day, in memory of Christ the spiritual Light, of whom Simeon did prophesy, as is read in the church that day: giving of ashes on Ash-Wednesday, to put in remembrance every Christian man in the beginning of Lent and penance, that he is but ashes and earth, and thereto shall return; which is right necessary to be uttered from henceforth in our mother tongue always on the same day: bearing of palms on Palm Sunday, in memory of receiving of Christ into Jerusalem, a little before His death, that we may have the same desire to receive Him into our hearts: creeping to the cross, and humbling ourselves to Christ on Good Friday before the cross, and offering thereunto Christ before the same, and kissing of it in memory of our redemption by Christ made upon the cross; setting up the sepulture of Christ, whose body after His death was buried; the hallowing of the font, and other like exorcisms and benedictions by the ministers of Christ's church: and all other like laudable customs, rites, and ceremonies be not to be contemned and cast away, but to be used and continued as things good and laudable, to put us in remembrance of those spiritual things that they do signify; not suffering them to be forgotten, or to be put in oblivion, but renewing them in our memories from time to time: but none of these ceremonies have power to remit sin, but only to stir and lift up our minds unto God, by whom only our sins be forgiven.

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[3] An interesting discovery has recently been made in connection with these words which shows that the phraseology had long been familiar. A magnificent Sarum Breviary now in the possession of the Dean and Chapter of Salisbury contains the following Anthem, noted, or set to music. It is evidently an "Aspersio" used at the sprinkling of holy water. "Remember youre pmys made yn baptym. And chrystys mercyfull bloudshedyng. By the wyche most holy spryklyng. Off all youre syns youe haue fre perdīn. Haue mercy uppō me oo god. Affter thy grat mercy. Remeber &c. And acordyng to the multytude of the mercys. Do awey my wyckydnes. Remeber &c. Glory be to the father and to the sun, and to the holy goost. As hyt was yn the begynyng so now and ever and yn the world off worlds. So be hytt. By the wyche."

This has been submitted to several experts, who agree in dating it about 1450, though some think it as early as 1435. Similar words have been attributed to Latimer, on the authority of Foxe [vol. vii. p. 461, ed. 1837]: but they are evidently a century older than Latimer's episcopate. Foxe however gives the following additional words to be used at giving the eulogia, or blessed bread:—

"Of Christ's body this is a token
Which on the cross for our sins was broken,
Wherefore of your sins you must be forsakers,
If of Christ's death ye will be partakers."

From the music there can be no doubt it was sung while the priest was going round the Church sprinkling the people with the blessed water: and it is thus of additional interest as an early illustration of ritual vernacular.

Prayers for the dead

[X.] "OF PURGATORY.—Forasmuch as due order of charity requireth, and the Book of Maccabees, and divers ancient doctors plainly shew, that it is a very good and charitable deed to pray for souls departed, and forasmuch also as such usage hath continued in the church so many years, even from the beginning, we will that all bishops and preachers shall instruct and teach our people committed by us unto their spiritual charge, that no man ought to be grieved with the continuance of the same, and that it standeth with the very due order of charity, a Christian man to pray for souls departed, and to commit them in our prayers to God's mercy, and also to cause others to pray for them in masses and exequies, and to give alms to others to pray for them, whereby they may be relieved, and holpen, of some part of their pain: but forasmuch as the place where they be, the name thereof, and kind of pains there, also be to us uncertain by scripture; therefore this with all other things we remit to Almighty God, unto whose mercy it is meet and convenient for us to commend them, trusting that God accepteth our prayers for them, referring the rest wholly to God, to whom is known their estate and condition; wherefore it is much necessary that such abuses be clearly put away, which under the name of purgatory hath been advanced, as to make men believe that through the bishop of Rome's pardon souls might clearly be delivered out of purgatory, and all the pains of it, or that masses said at *scala cœli*, or otherwhere, in any place, or before any image, might likewise deliver them from all their pain, and send them straight to heaven; and other like abuses."[4]

Roman idea of purgatory repudiated

These five were substantially embodied in the "Institution of a Christian Man," as were the five on the principal articles of faith which formed the first part of them. That on images is worked up into the exposition of the Second Commandment, that on rites and ceremonies is entirely reproduced in the exposition of the Fourth Commandment, and that on purgatory is printed by itself at the end of the volume.

These five Articles consistent with Anglican theology

It need hardly be pointed out that, whatever mediæval opinions and practices may have been, there is not one word of these articles which is inconsistent with the principles of the Church of England as interpreted in modern times by her most learned divines. It has been considered expedient to disuse such ceremonies as "creeping" to the Cross, and the use of blessed ashes and palms; but their use or disuse is purely a question of expediency and not of principle.

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[4] "Some men make their cracks," preached Latimer before the Convocation on June 9th in this year, "that they, maugre of all men's heads, have found purgatory. I cannot tell what is found. This, to pray for dead folks? This is not found, for it was never lost. How can that be found that was not lost? O subtle finders that can find things (and God will) ere they be lost!" Serm. i., 48, ed. 1824.

Grievance of forbidding to work on holy-days

At the end of the eighth of these articles, it will be noticed that a hint is given respecting some proposed mitigation or moderation of the observance of holy-days. There was a standing grievance on this subject among the labouring classes, there being (on the average) one holy-day, and perhaps one even, to be observed in every week, and an Act of Parliament [6 Hen. VI. cap. 3] was passed in 1427 forbidding them from taking wages for festivals or half-day's wages for their evens. This grievance was forcibly stated by Latimer in the sermon which he preached at the opening of Convocation :—

> "Do ye see nothing in our holidays? Of the which very few were made at the first, and they to set forth goodness, virtue, and honesty. But sithens, in some places there is neither mean nor measure in making new holidays, as who should say, this one thing is serving of God, to make this law, that no man may work. But what doth the people on these holidays? Do they give themselves to godliness, or else ungodliness? See ye nothing, brethren? If you see not, yet God seeth. God seeth all the whole holidays to be spent miserably in drunkenness, in glossing, in strife, in envy, in dancing, dicing, idleness, and gluttony. He seeth all this, and threateneth punishment for it. He seeth it, which neither is deceived in seeing, nor deceiveth when He threateneth.
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> "Thus men serve the devil, for God is not thus served; albeit ye say, ye serve God. No, the devil hath more service done unto him on one holiday than on many working days. Let all these abuses be counted as nothing, who is he that is not sorry to see in so many holidays rich and wealthy persons to flow in delicates, and men that live by their travail, poor men, to lack necessary meat and drink for their wives and their children, and that they cannot labour upon the holidays, except they will be cited, and brought before our officials? Were it not the office of good prelates to consult upon these

matters, and to seek some remedy for them? Ye shall see, my brethren, ye shall see once what will come of this our winking."[5]

The ancient law of the Church of England

The fact is that a definite rule on the subject existed, in the shape of a canon passed in the year 1362, during the time that Meopham was Archbishop of Canterbury; but that in later times (as the Convocation before us states in a document to be noticed immediately) "the number of holy-days" had "excessively grown, and yet daily more and more, by men's devotion, yea rather superstition, was like further to increase." Private and local observances of such days had been added to those enjoined by the Church, and these were the real cause of the hardships complained of.

The rule of the Church of England was to be found (as already stated) in the canon of 1362, which named forty-four days that were to be kept holy by all persons,[6] the observance including abstinence from labour. To these forty-four must be added the evens of some of the festivals, and St. George's day, the observance of which was enjoined by a subsequent canon of A.D. 1415, thus making an average of, at the utmost, one holy-day and one even in each week.

This old canon re-enacted with modifications

On July 19, 1536, the Convocation modified this rule by a new canon, which was afterwards assented to and published by the crown. It seems to have been practically a re-enactment of the canon of 1362 in a different form, for the purpose of cutting off all

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[5] Sermons, i. 50, ed. 1824.

[6] The forty-four days so appointed to be kept holy included the thirty-two days which are so distinguished in the Calendar of the Prayer Book, most of the remaining twelve being now "black-letter" days.

A.D. 1536

the supplementary holy-days which had crept into observance as above stated. It provided that :—

1. The festival of the dedication of each parish church should be kept on a Sunday instead of a week day—the first Sunday in October.

2. That the festival of the saint in whose name any parish church was dedicated, should not be observed as a day of compulsory cessation from labour, unless otherwise a holy-day.

3. That no festivals in harvest time (that is, between July 1st and September 29th) should be observed with compulsory cessation of labour, except feasts of the Apostles, of the Blessed Virgin Mary, and the feast of St. George.[7]

The Calendar not altered

This canon was published under the title of "The Abrogation of Certain Holy-days," which was corrupted into "The Abrogation of *the* Holy-days," or "of Holy-days," without any other word preceding : and thus it has been commonly supposed to have abolished most of the Holy-days in the Calendar! But it did not even touch the Calendar, merely giving permission to the laity to work at their ordinary calling on certain of the days in the Calendar on which they had been previously forbidden to do so ; and leaving untouched also the canons and Act of Parliament which forbad work on the festivals and evens not excepted by this new law.

Whether such a measure of relief was enough to satisfy those who thought themselves aggrieved may be doubted ; but an Act of Parliament alone could repeal the Act [6 Hen. VI. cap. 3] previously referred to, and probably Convocation did all that legally lay within the power of the clergy to do. In the reign

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[7] Wilkins' Concil., iii. 823.

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of Edward VI. an Act of Parliament was passed on the subject [5 & 6 Edw. VI. cap. 13], which is still in force.[8] By this Statute twenty-six holy-days and seventeen evens were directed to be observed as days "on which Christians should cease from all other kinds of labours, and should apply themselves only and wholly unto holy works properly pertaining unto true religion; but all persons were to be permitted to labour on these days in harvest, or at other times if necessity should require.

The canon published by the Crown

The canon of 1536 was sent into every diocese with a royal letter,[9] and was also enforced by the third of the royal Injunctions issued in the same year,[1] its publication or promulgation by the crown being in accordance with the agreement lately made between the Convocations and the King; but it is quite a mistake to suppose that this canon came out originally in the form of a royal injunction.[2]

Royal injunctions enforcing its observance

Shortly after the Convocation had been prorogued, two sets of Injunctions had been issued by the King and by Cromwell in his capacity as Vicegerent, in which the Ten Articles and the preceding canon are enforced upon the clergy. They also contain the following direction to the clergy in respect to some of the customs which were now under consideration:

> "That they should not lay out their rhetoric in flourishing upon images, relics, or miracles upon any motive of superstition or covetousness: that they ought not to persuade their people to pilgrimages, contrary to the intendment of the late articles, but rather exhort them to serve God and make provision for their families. And if they have anything to spare,

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[8] It was repealed by 1 Mary, Sess. ii. cap. 2, but carefully revived by 1 James I. i. cap. 25.

[9] Wilkins' Concil., iii. 824.

[1] Ibid., 813. It was also printed in Bishop Hilsey's Primer of 1539.

[2] As Collier says, for instance, iv. 363, ed. 1852.

they are to inform them that the bestowing it on the poor will be more acceptable to God Almighty than making a present to images and relics."

Cromwell's Injunctions also forbid the clergy to alter any fasts or the "order and manner of any prayer, or divine service, otherwise than is specified in the Injunctions," but no alteration at all is specified, unless that indicated in the seventeenth and last injunction, which is as follows:—

> "*Item.* Where in times past men have used in divers places in their processions to sing 'Ora pro nobis' to so many saints that they had no time to sing the good suffrages following, as 'Parce nobis Domine, et Libera nos Domine;' that it must be taught and preached that better it were to omit 'Ora pro nobis,' and to sing the other suffrages."

Authorized Exposition of devotional system attempted

About this time an attempt was made to bring out an authoritative exposition of the devotional system of the Church, of a similar character with that of its doctrinal system, which had been published as the "Institution of a Christian Man." This work remains in MS. in the British Museum,[3] and is entitled "Ceremonies to be used in the Church of England, together with an explanation of the meaning and significancy of them." It was probably written by Malet (one of Cromwell's chaplains, and afterwards Dean of Lincoln) in the year 1538, and under the eye of Cranmer, in whose house, at Ford, he was staying for the purpose.[4] This very able "Rationale" of the ancient devotional system is said by Strype to have been placed before Convocation, but rejected through the influence of Cranmer.[5] But this is improbable, as Cranmer was decidedly in favour of continuing the ceremonies of the Church, and explaining them in this manner. And, indeed, a letter of his to a justice of the peace, written about this time, seems almost to refer to this book, though no contemporary copy of it is known in print.[6] The tract itself would occupy about thirty pages of this volume, and is, therefore, too long to be printed here. It consists of separate articles on the following subjects, which are all dealt with in the spirit of the "Ten Articles" and the "Institution:"—

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[3] Cleopatra, E. v. 259. It is printed in Collier's Eccl. Hist., v. 104-122, ed. 1852; and in Strype's Eccl. Memor., I. ii. 411, ed. 1822.

[4] "My very singular good Lord: forasmuch as this bearer, your trusty chaplain, Mr. Malet, at this his return towards London from Ford (whereas I left him, according to your Lordship's assignment, occupied in the affairs of our

Contents of this "Rationale"

> The Church—The Churchyard—The Rites and Ceremonies observed about the Sacrament of Baptism—Ministers—Service of the Church—Ceremonies used in the Mass—The observance of Sundays and Holy-days—Bells—The dress of the Clergy—The saying of the daily Offices—Candles on Candlemas Day—Fasting—Ashes on Ash-Wednesday, and other ceremonies of Lent—The Ceremonies of Maundy Thursday, Good Friday, and Easter—Processions or Litanies—Benedictions by Bishops and Priests—Holy water and Holy bread.

That this "Book of Ceremonies" had some official

Church Service, and now at the writing up of so much as he had to do), came by me here at Croydon to know my further pleasure and commandment in that behalf. . . ." Jenkyns' Cranmer, i. 241.

[5] Memorials of Cranmer, i. 168. Eng. Hist. Soc. ed.

[6] "And whereas your servants report that all things are restored by this new book to their old use, both of ceremonies, pilgrimages, purgatory, and such other, . . . truly you and your servants be so blinded that you call old that is new, and new that is old. . . . But in very deed the people be restored by this book to their old good usages, although they be not restored to their late abused usages, for the old usage was in the Primitive Church, and nigh thereunto when the Church was most purest. . . . And if men will indifferently read these late declarations, they shall well perceive that purgatory, pilgrimages, praying to saints, images, holy bread, holy water, holy days, merits, works, ceremonies, and such other, be not restored to their late accustomed abuses, but shall evidently perceive that the word of God hath gotten the upper hand of them all, and hath set them in their right use and estimation." [Jenkyns' Cranmer, i. 210.] There is nothing elsewhere extant to which this language so well applies.

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weight is evident from a proclamation on the same subject which was issued by the Crown on February 26, 1538.[7] This proclamation travels over the same ground in a more condensed way, and in some cases uses the very expressions of the "Rationale." It commands that the rites and ceremonies of the Church of England shall all be used as heretofore until some new orders respecting them are issued; but enjoins upon the clergy the duty of explaining them to the people, indicating the kind of explanations to be given in several cases, and doing so in language that was evidently used by a writer who had the "Book of Ceremonies" before him.

Growing influence of the vernacular

The revision of the usages of divine service was a most delicate and difficult business to be undertaken, but one which was felt to be necessary by the leading clergy, and the necessity of which the King himself seems reluctantly to have acknowledged. There was, especially, a general feeling that the divine service used in the Church of England should be used in the vernacular, and not in Latin. There was not now, as there would have been a century or two before, any difficulty in deciding what the vernacular really was; for Anglo-Saxon, and Norman-French, and Latin, and the several dialects of the fens and the hills had been gradually amalgamating into the noble English of the sixteenth century, and though peculiar dialects were still to be heard in remote parts of the country, there was now a real and definite language spoken by the great majority.[8]

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[7] Wilkins' Concil., iii. 842.

[8] It is amusing to find Giraldus Cambrensis saying, that when he preached the Crusades to the Welshmen of Haverfordwest, he could gain two hundred converts at a sermon in French or Latin though they understood not a word of it. [Wharton's Anglia Sacra, ii. 491.]

Latin, therefore, had no longer the advantage of being the most comprehensive language in a country of mixed dialects, nor was it so generally understood as formerly even by the educated classes.

Use of English in Divine service

Vernacular prayer books had, indeed, been long known in England, and several portions of divine service which especially concerned the people had been said in English, as will be shown when we come to deal with the subject more fully in the next volume. The English Primer was in use at least during the whole of the fifteenth century, and had been in print from the opening of the sixteenth.[9] Homilies in English for the Festivals were printed (from older MSS.) by Caxton in 1483; and convenient indexes had long been common, by means of which those who were able to read could turn to the Lessons, the Epistles and Gospels, in their English New Testaments. In short, a gradual approximation to the use of the vernacular in divine service had been making for a long time past, and Latimer found a very hearty response in the minds of the clergy when, speaking of baptism in his sermon before the Convocation of 1536, he exclaimed, "Shall we evermore in ministering it speak Latin, and not English rather, that the people may know what is said and done?"[1]

Reformation of Latin Service Books

The first attempts in the direction of ritual reformation were, of course, associated with the ancient Latin service books. The Breviary, or Portiforium, had been revised in the time of Warham and Wolsey,

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[9] Coverdale and Grafton write to Cromwell, on Sept. 12, 1538, asking permission for Regnault, the Paris printer, to sell what books he has in stock, but not to print more in English without an English corrector. They say that he has printed Primers in English, among other books, for forty years past. [State Papers, i. 589.]

[1] Sermons, i. 52, ed. 1824.

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and a reformed edition published in the year 1516. In this the rubrics were much simplified: Holy Scripture was directed to be read in order, without omission, and the Lessons were restored to their original length, which was about double of what they had been reduced to in some previous editions. This reformed Portuis was reprinted in 1531, and in 1533 the Missal was reformed on the same principles. The Psalter had also been in use for some time, on a system very nearly similar to our own, and much less difficult to use and follow than the old arrangement. It had also been translated into English as early, at least, as 1530, and was sometimes printed with the Latin and English in parallel columns, as Prayer Books are printed in Welsh and English to this day in Wales. In 1541 a still further reformed edition of the Portuis or Breviary was printed, and directed by Convocation to be used throughout the whole of the province of Canterbury. But further measures of ritual reformation were already contemplated, and no more Service Books were now allowed to be printed than were absolutely necessary.

Lessons to be read in English

The Convocation of 1542–3 took the first decided steps towards that revision of the ancient devotional system which ended in our existing Book of Common Prayer. In sending forth the revised Breviary, they also passed a canon ordering "that every Sunday and Holy-day throughout the year, the curate of every parish church, after the Te Deum and Magnificat, shall openly read unto the people one chapter of the New Testament in English without exposition; and when the New Testament is read over then to begin the Old."[2] Archbishop Lee had ordered some years before (probably in 1536) that all curates

[2] Wilkins' Concil., iii. 863.

and heads of congregations, religious and other, privileged and other, shall every holy-day read the gospel and epistle of that day out of the English Bible, plainly and distinctly: and they that have grace shall make some declaration either of the one or of both (if the time may serve) every holy-day;[3] and there can be little doubt that this had also become the custom in the Southern Province. So that a very decided advance had been made in the direction of the Prayer Book system.[4]

First Appointment of Prayer Book Commission

In the same session, a committee was appointed for the revision of the ancient service books on a more extended plan than had been adopted in the editions of 1516, 1531, and 1541. The President informed the Convocation that it was the wish of his Majesty—

"That all Mass-books, Antiphoners, Portuises, in the Church of England should be newly examined, corrected, reformed,

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[3] Injunctions in Burnet, vol. iii. part ii. p. 182, ed. 1816.

[4] It is most likely that the Gospels and Epistles, &c., were read in Latin first and then in English. There is an interesting anonymous letter to the Duke of Norfolk, which shows that Cranmer had become acquainted with this plan in Germany:—"Although I had a chaplain yet could I not be suffered to have him sing Mass, but was constrained to hear their Mass, which is but one in a Church, and that is celebrated in form following. The Priest, in vestments after our manner, singeth everything in Latin, as we use, omitting suffrages. The Epistle he readeth in Latin. In the mean time the sub-deacon goeth into the pulpit and readeth to the people the epistle in their vulgar; after they peruse other things as our priests do. Then the Priest readeth softly the Gospel in Latin. In the mean space the Deacon goeth into the pulpit and readeth aloud the Gospel in the Almaigne tongue. Mr. Cranmer saith it was shewed to him that in the Epistles and Gospels they kept not the order that we do, but do peruse every day one chapter of the New Testament. Afterwards the Priest and the quire do sing the *Credo* as we do; the secret and preface they omit, and the Priest singeth with a high voice the words of the Consecration. And after the Levation the Deacon turneth to the people, telling to them in Almaigne tongue a long process how they should prepare themselves to the Communion of the Flesh and Blood of Christ. And then may every man come that listeth, without going to Confession." This letter was written from Nuremberg about 1530. [Ellis' Orig. Lett., III. ii. 192.]

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and castigated from all manner of mention of the Bishop of Rome's name, from all apocryphas, feigned legends, superstitions, orations, collects, versicles, and responses; that the names and memories of all saints which be not mentioned in the Scripture or authentical doctors should be abolished and put out of the same books and calendars, and that the service should be made out of the Scripture and other authentic doctors."[5]

The Convocation at once set to work on the business thus formally placed before them by the Crown; and so important was it considered, that no member was allowed to absent himself from their meetings without special leave of absence.

The English Litany revised by Convocation

A committee was appointed for carrying out the details of this work, which consisted originally of the Bishops of Salisbury and Ely (Shaxton and Goodrich, the former being *ex officio* Precentor of the Province of Canterbury) and six members of the Lower House: but there is reason to think that this arrangement was not adhered to at the time, the whole body of Convocation taking the work in hand. The immediate result of their labours appeared in the English Litany, which received the final sanction of Convocation in March 1543-4,[6] and was promulgated by the Crown on June 11, 1544.[7] It was the service best known to and best liked by the people, and had been in the primers in their own tongue for at least a century and a half, though not exactly in the form now set forth. Hence, perhaps, the reason why this was chosen as the first instalment of the new Service Books. Other "Processions" or Litanies were also translated from the ancient Processionals of the Church of England, and were sent to the King by

and promulgated by the Crown

Other English litanies prepared

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[5] Wilkins' Concil., iii. 863. [6] Ibid., 868. [7] Ibid., 870.

Archbishop Cranmer on October 7th of the same year,[8] but they were never published, and the MS. of them does not appear to have come down to our time.

Further steps hindered by Henry VIII

But with the Litany in English the change of the services from Latin to the vernacular tongue ceased as long as Henry lived. A committee of divines continued the work of translation and adaptation, but their labours appear to have been in some way hindered by Henry, as he had contrived to hinder the Convocation in their translation of the Bible some years previously. It was not, therefore, until the accession of Edward VI. that their work was brought to light again: and the manner in which it then developed into the Book of Common Prayer must be narrated in a future chapter. It seems almost certain, from the evidence extant, that the Prayer Book was substantially arranged in the reign of Henry, and that little remained to be done when his death made it possible again to bring it forward.

Summary of devotional changes in reign of Henry VIII

To sum up in a few words the amount of reformation which took place in the devotional system of the Church in this reign, it may be said that three points were thoroughly established. It was determined [1] That the Church had authority to settle her own mode of divine worship: [2] That many changes were necessary in the devotional habits and customs of the country: and [3] That it was expedient, in future, to have divine service in the vulgar tongue. The progress made in carrying out these principles was very considerable. Many superstitious usages were abolished; the Scriptures used in divine service were read to the people in English; the Litany was used entirely in English, almost exactly as we now use it; and the material was prepared for the formation of our Prayer Book system. Had it not been for the strong prejudices of Henry the Eighth's later years, it is most probable that the "First Prayer Book of Edward the Sixth"—that of 1549—would have been in use for some years before that young prince ascended his father's throne. In which case it would undoubtedly have gained a stronger hold upon the country than it did in the midst of the miserable religious divisions that characterized Edward the Sixth's reign.

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[8] Jenkyns' Cranmer, i. 315.

CHAPTER X

THE AUTHORIZED VERSION OF THE BIBLE

[A. D. 1535—A. D. 1542]

THERE has been much wild and foolish writing about the scarcity of the Bible in the ages preceding the Reformation. It has been taken for granted that Holy Scripture was almost a sealed book to clergy and laity, until it was printed in English by Tyndale and Coverdale, and that the only real source of knowledge respecting it before then was the translation made by Wickliffe.

Mediæval knowledge of Holy Scripture

The facts are that the clergy and monks were daily reading large portions of the Bible, and had them stored up in their memory by constant recitation: that they made very free use of Holy Scripture in preaching, so that even a modern Bible-reader is astonished at the number of quotations and references contained in mediæval sermons: that countless copies of the Bible were written out by the surprising industry of cloistered scribes: that many glosses or commentaries were written which are still seen to be full of pious and wise thoughts: and that all laymen who could read were, as a rule, provided with their gospels, their psalter, or other devotional portions of the Bible. Men did, in fact, take a vast amount of *personal* trouble with respect to the production of copies of the Holy Scriptures: and accomplished by head, hands, and heart, what is now chiefly done by paid workmen and machinery. The clergy studied the Word of God, and made it known to the laity: and those few among the laity who could read had abundant opportunity of reading the Bible either in Latin or in English up to the Reformation period.

While, therefore, full justice is done to the men of the Reformation for their zeal in disseminating a knowledge of the Bible, let us be equally just towards those of preceding ages. Fair historical research will convince any investigator who is open to conviction that God has always had a large army of faithful servants engaged in making known—some in one way, some in another—the Word which He has revealed.[1]

The translation of the Bible is a work in which English divines have always shown an interest that does not seem to have been so keenly felt by those of other European nations, although it was evidently felt also in the East, judging by the vernacular translations that exist there. The great libraries of England contain many memorials of this zeal and interest, and further evidence respecting it is found in our histories. Notwithstanding the vast destruction of manuscripts by the Puritans,[2] there still exist many vernacular gospels, psalters, and complete Bibles of dates ranging from the ninth to the sixteenth century, relics that bear witness to extensive labours of which devouring time and fanatic ignorance have spared but a representative portion.

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[1] Perhaps there is some ground for reproach in the fact that the Holy Bible had been beautifully printed in Latin, abroad, eighty years before any attempt was made to print it either in Latin or English in our country. But the art of printing made rather slow advance in England at first: and printed books were largly imported from France and Germany.

[2] "Yea, many an ancient MS. Bible," says Fuller, "cut in pieces to cover filthy pamphlets." Church History, ii. 246, ed. 1837.

[illegible] Bibles

The earliest of these translations known to us now is one of the Psalter by Aldhelm, Bishop of Sherborne [A.D. 656-709]. The Venerable Bede [A.D. 672-735] made a translation, the extent of which is not recorded; but on the evening of his death he was engaged in finishing the gospel of St. John by the aid of an amanuensis. King Alfred [A.D. 849-941] is said to have translated the whole Bible; and it is certain that he executed some portions of such a translation. In the British Museum there is a magnificent English copy of the Gospels, called the Durham Book, which is not more recent than the time of King Alfred, and there is another of the same age in the Bodleian Library at Oxford: a Psalter of the same period is in the Chapter Library at Salisbury (in Latin and Anglo-Saxon), and a Book of the Gospels, of rather later date, in Corpus Christi Library, Cambridge. Doubtless there are many more known to those familiar with our manuscript treasures.

Although these facts have been much lost sight of during the last three centuries by all except antiquarians, they were well known at the period of the Reformation, and are placed on record by Archbishop Cranmer in his preface to the "Great Bible" in the following words, with which he supports his arguments in favour of vernacular Bibles:—

[illegible]

"If the matter should be tried by custom, we might also allege custom for the reading of the Scripture in the vulgar tongue, and prescribe the more ancient custom. For it is not much above one hundred years ago since Scripture hath not been accustomed to be read in the vulgar tongue within this realm. And many hundred years before that, it was translated and read in the Saxons' tongue, which at that time was our mother's tongue: whereof there remaineth yet divers copies, found lately in old abbeys, of such antique manners of writing and speaking, that few men now been able to read and understand them. And when this language waxed old and out of common usage because folk should not lack the fruit of reading, it was again translated into the newer language, whereof yet also many copies remain, and be daily found."[3]

Similar testimony is borne likewise by Foxe, who writes,—

"If histories be well examined, we shall find both before the Conquest and after, as well before John Wickliffe was born as since, the whole body of the Scriptures by sundry men translated into this our country tongue."[4]

Perverted use of vernacular Bibles

The lawless political principles of Wickliffe, and the still more lawless ones of his followers, created a strong prejudice against vernacular translations of the Scriptures on the part of the rulers of England both in Church and State. The Bible was quoted in support of rebellion and of the wildest heresy: and even Archbishop Cranmer refers to and condemns a class of persons who thus "slandered and hindered the Word of God," in his preface just quoted.

We can easily see, now, that the best remedy for

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[3] Jenkyns' Cranmer, ii. 105. A part of a Norman French Bible, beginning with Ezra and ending with Micah, exists in the library of E. Ayshford Sanford, Esq., at Nynehead Court, Somersetshire. Sir Frederick Madden dates it about the year 1260, when Norman French was the vernacular of the higher classes in England. It is an illuminated folio, bound in oak.

[4] Foxe's Saxon Gospels, Dedication.

Archbishop Arundel and English Bibles

the evils which thus attended the use of Bibles translated by private men was the issue of an authorized version. Probably this was contemplated much earlier than is commonly supposed, for there is a reference to it even in the Constitution of Archbishop Arundel, by which he prohibited the circulation of Wickliffe's translation. This famous Constitution is the seventh of thirteen which were set forth by a Provincial Synod of Canterbury, held at Oxford in 1408. After stating, on the authority of St. Jerome, the risk which was incurred in translating the Bible, lest the sense of the inspired writers should not be really given, it goes on to enact as follows :—

"We therefore decree and ordain, that from henceforward no unauthorized person shall translate any portion of Holy Scripture into English, or any other language, under any form of book or treatise: neither shall any such book or treatise, or version made either in Wickliffe's time or since, be read either in whole or in part, publicly or privately, under the penalty of the greater excommunication, till the said translation shall be approved either by the bishop of the diocese, or if necessary by a provincial council."[5]

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[5] Wilkins' Concil., iii. 317. This constitution has been much misrepresented. It was interpreted by Lyndewood in the following words. "Ex hoc quod dicitur 'noviter compositus,' apparet quod libros, libellos, vel tractatus in Anglicis vel alio idiomate prius translatos de textu Scripturæ legere non est prohibitum." This was written about A.D. 1430, and the words of so cautious a lawyer and so learned a divine as Bishop Lyndewood are clear evidence as to the existence of vernacular Bibles earlier than that of Wickliffe. Another great lawyer, Sir Thomas More, also writes: "The whole Bible was, long before Wickliffe's days, by virtuous and well learned men translated into the English tongue, and by good and godly people with devotion and soberness well and reverently read:" and "this order neither forbad the translations to be read that were done of old before Wickliffe's days, nor condemned his because it was new, but because it was naught."

On another occasion the same learned and well-informed writer says, "I have shewed you that the clergy keep no Bibles from the laity that can no more but their mother tongue, but such translations as be either not yet approved

From Sir Thomas More's words, quoted in a note below, it is evident that vernacular Bibles of other translations than that of Wickliffe were thus authorized by bishops, for the use of laymen and women in their own dioceses, down to the time when the free use of the printing-press, and a new influx of private translators,[6] suggested again the necessity of a properly authorized version of the whole of Holy Scripture.

Tyndale's translation of the New Testament A.D. 1525

As is well known, Tyndale's translation of the New Testament was printed in 1525 at Cologne, and the first edition obtained some circulation; but the whole of the second edition was bought up by Archbishop Warham, through Tunstal, Bishop of London, in 1529, before it had reached England.[7] There was much justification for this in the "prologues," the "glosses," and the false renderings of Tyndale's translation (the first alone occupying as much space as the translation itself); but no doubt Warham was one of those for whom the excuse should be made which Cranmer wrote in his preface to the "Great Bible," "therefore I can well think them worthy pardon, which at the coming abroad of Scripture doubted and drew back."

In 1530 Henry VIII. called together an assembly,

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for good, or such as be already reproved for naught as Wickliffe's was. For as for old ones that were before Wickliffe's days they remain lawful, and be in some folks hands." "Myself have seen and can shew you Bibles fair and old which have been known and seen by the bishop of the diocese, and left in laymen's hands and women's, to such as he knew for good and catholick folk that used it with soberness and devotion."

[6] In 1526 Archbishop Warham complains of translations made by the Lutheran faction, "instilling pernicious and scandalous heresies into the minds of the simple, and profaning the hitherto unsullied majesty of the Holy Scriptures by nefarious and distorted comments." [Wilkins' Concil., iii. 706.]

[7] He paid £64 9s. 4d. [£800 of modern money] for the copies, and some of the other bishops contributed towards the expense. See Ellis' Orig. Lett., III. ii. 87.

Authorized
Version
projected
A.D. 1530

consisting of the two archbishops, "and also a sufficient number of discreet, virtuous, and well-learned personages in divinity, as well of either of the universities, Oxford and Cambridge, as also chosen and taken out of other parts of his realm, giving unto them liberty to speak and declare plainly their advices, judgments, and determinations," respecting books imported from abroad, and containing doctrine contrary to that of the Church of England; and also as to "the admission and divulgation of the Old and New Testaments translated into English." This commission was called, says the subsequent proclamation, because it had—

"Come to the hearing of our said sovereign Lord the King, that report is made by divers and many of his subjects, that it were to all men not only expedient, but also necessary to have in the English tongue both the New Testament and the Old."

It was decided—

Reasons
for not at
once undertaking
it

"By them all, that it is not necessary the said Scripture to be in the English tongue and in the hands of the common people; . . . and that having respect to the malignity of this present time, with the inclination of the people to erroneous opinions, the translation of the New Testament and the Old into the vulgar tongue of English should rather be the occasion of continuance or increase of errors among the said people, than any benefit or commodity towards the wealth of their souls."

But the document continues to the effect that when the dangers arising from these heretical opinions have passed away—

"His Highness intendeth to provide that the Holy Scripture shall be by great, learned, and Catholic persons, translated into the English tongue, if it shall then seem to His Grace convenient to be."[8]

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[8] Wilkins' Concil., iii. 740.

Immediately after this proclamation Archbishop Warham set forth a paper stating in detail what had been determined, and the particular errors condemned in "The Wicked Mammon," "The Revelation of Antichrist," the "Sum of Scripture," "The Supplication of Beggars," and some other books; which ended with a "bill in English to be published by the preachers," a kind of homily in which the clergy were made to endorse the royal proclamation. In this are words confirming the intention expressed in the proclamation, as follows:—

> "Exhorting and moving you, that in consideration his Highness did there openly say and protest that he would cause the New Testament to be by learned men faithfully and purely translated into the English tongue, to the intent he might have it in his hands ready to be given to his people, as he might see their manners and behaviour meet, apt, and convenient to receive the same, that ye will so detest these pernicious books, so abhor these heresies," &c. &c.

Members of the Commission of A.D. 1530

From this last document and the one preceding it appears that the commission consisted of—

Sir Thomas More.
Archbishop Warham.
„ Lee.
Bishop Tunstal.
Dr. William Gardiner.
„ Richard Sampson.
„ Richard Wolman, Master of Requests.
„ John Bell, councillor.
„ Nicolas Wilson, the King's confessor.
„ Richard Dorke, Archdeacon of Wiltshire.
„ John Oliver.
„ Edward Steward.
„ Richard Mawdley.
„ William Mortimer.
„ Edward Crome.

Mr. Robert Carter.
„ Edward Leighton.
„ Hugh Latimer.
„ John Thistill.
„ William Latimer.
„ Roger Tilson.

"With many more learned men of the said universities in great number assembled then and there together."[9]

The signatures of so many grave and wise men to such a document (not forgetting that Bishop Latimer and his reforming relative, William Latimer, the friend of Bilney, were among them), show that it was promulgated in good faith, under a conviction that at the moment it was desirable to delay the publication of an English authorized version, but that it would be shortly undertaken.

Convocation revives the project A.D. 1534

The matter was officially revived at the end of the year 1534, when—on December 19th—Convocation presented an address to the King petitioning him to exercise a censorship over the noxious publications which were streaming out from the abundant fountain established by the printing-press. They also petitioned him "that his Majesty would vouchsafe to decree, that the Scriptures should be translated into the vulgar tongue by some honest and learned men, to be nominated by the King, and to be delivered to the people according to their learning."[1] Whether the King granted this petition is uncertain, but it is known that, with or without the royal license, the Archbishop shortly after took measures for complying with the earnest wish of the clergy. What measures he took are recorded by his secretary, Ralph Morrice:—

Cranmer distributes the work among the bishops

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[9] Wilkins' Concil., iii. 737.

[1] Ibid., 770.

CHAP X

A.D. 1534

"First, he began with the translation of the New Testament; taking an old English translation thereof, which he divided into nine or ten parts, causing each part to be written at large in a paper book, and then to be sent to the best learned bishops and others, to the intent that they should make a perfect correction thereof. And when they had done, he required them to send back their parts so corrected unto him at Lambeth, by a day limited for that purpose; and the same course, no question, he took with the Old Testament."[2]

As early as June 10, 1535, Gardiner, Bishop of Winchester, writes to Cromwell that he has translated St. Luke and St. John for his portion of the work, and that he has expended great labour upon them.[3] Stokesley, Bishop of London, refused to cooperate, and sent his "paper-book"—the Acts of the Apostles—back to Cranmer, with an uncivil message. With that one exception the bishops all complied with the wishes of Cranmer, and "when the day came," says Morrice, "every man sent to Lambeth their parts corrected."

Coverdale's translation A.D. 1535

The King's proclamation and promise had, however, tempted private speculators; and at the very time the bishops were engaged on their work, an English Bible was being printed abroad from the translation in which Tyndale, Coverdale, and Rogers had each had a share.[4] It was published on October 4, 1535, with a dedication to the King, and is probably that referred to in one of the Injunctions issued by Cromwell in 1536, which ordered that there should be provided "one book of the whole Bible, of the largest volume, in English, and the same set up in some convenient place within the

English Bible set up in churches A.D. 1536 said Church that ye have care of, whereas your parishioners may most commodiously resort to the same and read it."[5]

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[2] Nicholls' Narratives of the Reformation, Camd. Soc., p. 277.

[3] State Papers, i. 430.

[4] It is almost impossible to distinguish their respective shares.

Matthew's Bible
A.D. 1537

Another such bookseller's speculation appeared in the following year under the name of Thomas Matthew, which is suppposed to be an "alias" of John Rogers. This was printed by Grafton and Whitchurch, the King's printers, from whose press the Reformed Breviary also proceeded about the same time. Some letters of Cranmer's are extant, in the first of which he writes to Cromwell to the effect that this is "both of a new translation and a new print," and requests the King's license "that the same may be sold and read of every person, without danger of any act, proclamation, or ordinance heretofore granted to the contrary, until such time that we the bishops shall set forth a better translation, which I think will not be till a day after doomsday."[6] These rather impatient words do not explain the delay in the publication of the Bishops' translation, but it was probably undergoing repeated revision: and in his sanguine way the Archbishop thought it best to adopt the one ready to hand as one not likely to be improved upon by the bishops. He changed his opinion about this as he did about many other novelties which he was sanguine about at their first appearance.

The letter just quoted was written to Cromwell on August 4, 1537. On the 13th the Archbishop wrote another telling Cromwell that he understood his request had been granted;[7] and on the 28th he sends him "the most hearty thanks that any heart can think, and that in the name of them all which favoureth God's Word, for your diligence at this time in procuring the King's highness to set forth the said God's Word, and His gospel by his Grace's authority."[8]

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[5] Wilkins' Concil., iii. 815.

[6] State Papers, i. 561.

[7] Jenkyns' Cranmer, i. 199.

English Bible for use in private A.D. 1537

Misuse of the Bible by Puritans

Thus the royal license was obtained for placing the first complete edition of the English Bible in churches (for general reading by lay people) in 1536: and a similar license for allowing the second edition to be used without hindrance by every one at their own homes, in 1537. For a time the result was what had been anticipated by the great assembly of learned men whom the King had consulted on the subject. So irreverent and factious an use was made of the Bible, that a proclamation was shortly issued declaring how much the King was disappointed at the way in which many were abusing the privilege. It appears that over-zealous Bible readers were accustomed to interrupt divine service and the celebration of the Holy Eucharist by shouting out chapters of the Bible in "loud and high voices," instead of "praying with peace and silence as good Christian men ought to do;" and the King enjoins those who wish to read it in the English tongue to read the Bible "quietly and reverently by themselves secretly at all times and places convenient, for their own instruction and edification to increase thereby godliness and virtuous living."[9] Cromwell's Injunctions of 1536 show that those most favourable to the dissemination of Holy Scripture could not blind themselves to this exhibition of lawless zeal, for while the third Injunction forbids any one to discourage Bible reading, it also exhorts strongly to the avoidance of contention and altercation;[1] so controversial and irreverent was the spirit of the times.

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[8] Jenkyns' Cranmer, i. 200.

[9] Wilkins' Concil., iii. 811.

[1] Ibid., 815. See also a letter from Cranmer to Lord Lisle on the same subject in Jenkyns' Cranmer, i. 284.

A.D. 1537

The facts recorded will show that the experiment was now being made of allowing the Holy Scriptures, as translated by private men, to be issued under the sanction of the Crown. About twenty-five editions of printed English New Testaments were already in circulation, and to these were added the Old Testament, as translated by Coverdale and others. But it was specially enjoined that none should print or circulate any of these, whether produced abroad or in England, "unless the same be first viewed, examined, and admitted by the King's highness, or one of his privy council, or one bishop within the realm, whose names shall be therein expressed."[2]

Great number of printed New Testaments in circulation

Such precautions, however, were soon found to be insufficient to secure a really good version of the Holy Scriptures in the vernacular. These early printed New Testaments and Old Testaments were hasty translations made from secondary sources, instead of the original Hebrew and Greek, and were by no means such as would be likely to command the confidence of scholars. Coverdale states on his title-page that his Bible was "translated out of Douche and Latyn," that is from Luther's version and the Vulgate: and in his letters he adds the information that his critical scrupulousness had secured the use of five editions of German and Latin Bibles, "to help

Private translations not trustworthy

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[2] Wilkins' Concilia, iii. 847. Among several editions of Tyndale's New Testament which were printed in 1536, there is one small folio which was undoubtedly printed by Berthelet the King's printer. It is printed with the same type and the same ornamental title-page that were used for the "Institution of a Christian Man." The only copy known is in the Bodleian Library.

him therein." It is quite clear that such an infinitesimal collection of authorities, and those of no more weight than the Vulgate and Luther's translation, would not produce an English version that could be approved of by learned and critical men.[3] So much discussion, indeed, arose on the subject, not only among learned and critical men, but among others also, that Cranmer was obliged to indite a cautionary declaration respecting it, which was issued as a Royal Proclamation in 1538, and accompanied by an order that it should be read publicly by all the parochial clergy :—

Cranmer's warning respecting ignorant controversy

> "If at any time," this declaration said, "by reading, any doubt shall come to any of you touching the sense and meaning of any part thereof; that then, not giving too much to your own minds, fantasies, and opinions, nor having thereof any open reasoning in your open taverns or ale-houses, ye shall have recourse to such learned men as be or shall be authorized to preach and declare the same."[4]

It appears to have become more and more evident for these and similar reasons that a properly authorized version must be set forth, which should command the respect of the learned, and offer itself as a trustworthy guide to the ignorant.

In April 1539, therefore, a new translation was printed, of which the following is the title :—

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[3] In some editions of Tyndale's New Testament there is what must be regarded as a *wilful* omission of the gravest possible character, for it appears in several editions, and has no shadow of justification in the Greek or Latin of the passage. It is, in the printing of 1 Peter ii. 13, 14, "Submit yourselves unto all manner of ordinance of man for the Lord's sake, whether it be unto rulers as unto them that are sent of him. . . ." Here the words "whether it be unto the king, as chief head," which appear in other editions, are altogether left out. Such an error was quite enough justification for the suppression of Tyndale's translation. [See edd. of 1531 and 1534, Douce B. 226, 237, Bodl. Lib., the first an extremely rare copy.]

[4] Jenkyns' Cranmer, iv. 272.

Authorized Version of A.D. 1539

"The Bible in English, that is to say, the content of all the Holy Scripture, both of the Old and New Testament, truly translated after the verity of the Hebrew and Greek texts, by the diligent study of divers excellent learned men, expert in the foresaid tongues. Printed by Richard Grafton and Edward Whitchurch. Cum Privilegio ad imprimendum solum."

It cannot be reasonably doubted that the "divers excellent learned men" who made this translation from the Hebrew and Greek texts, were those who had "sent to Lambeth their parts corrected" in 1535. The long interval between then and 1539 was probably occupied in revision of their work; though, of course, many months must be allowed for that of the printer.[5]

Reprinted in A.D. 1540, with preface by Cranmer

This Bible was reprinted by Edward Whitchurch in April 1540, with a "prologue" or preface by Archbishop Cranmer.[6] In this preface Cranmer warns the people against the "inordinate reading, indiscreet speaking, contentious disputing," and "licentious living," by which some did "slander and hinder the Word of God most of all other, whereof they would seem to be greatest furtherers."[7] It is thus again made evident that there was much which might make good men shrink and hesitate before they sowed the vernacular scriptures broadcast among the people. It was determined, however, fully to supply the parish churches, and several

for use in parish churches

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[5] St John's College, Cambridge, possesses a fine copy of this Bible, printed on vellum, illuminated, and having Cromwell's arms on the frontispiece.

[6] A magnificent copy of this, also printed on vellum and illuminated, is in the British Museum. It is bound in three volumes, and has on the fly-leaf the following inscription:—"This book is presented unto your most excellent Highness by your loving, faithful, and obedient subject and daily orator, Anthony Marler of London, Haberdasher."

[7] Jenkyns' Cranmer, ii. 104.

printers were employed for the purpose of quick multiplication of copies.

Editions printed in A.D. 1540 and 1541

In the very same month, April 1540, another edition was printed "by Thomas Petyt and Robert Redman, for Thomas Berthelet, printer unto the King's Grace;" and about the same time another edited by Richard Taverner, a student or canon of Cardinal College.

In July of the same year appeared another printed by Richard Grafton, and also having on the title-page "This is the Bible appointed to the use of the Churches."

In November of the same year there was printed by Whitchurch (but not published for some months) another edition "Overseen and perused at the commandment of the King's Highness, by the Right Reverend Fathers in God, Cuthbert, Bishop of Duresme, and Nicolas, Bishop of Rochester;" that is, Tunstal and Heath. The title-page of this calls it

> "The Bible in English of the largest and greatest volume authorized and appointed by the commandment of our most redoubted Prince and Sovereign Lord King Henry the VIII., supreme head of this his Church and realm of England: to be frequented and used in every church in this his said realm, according to the tenor of his former injunctions given in that behalf."

In May 1541 there was another edition of Cranmer's volume printed by Whitchurch; in November of the same year a second edition by Grafton of that "overseen" by Bishops Tunstal and Heath: and in December another edition, also printed by Grafton, of Cranmer's.

This large supply of nine editions of "Great," or folio, Bibles (some being nearly identical with others) was partly placed in the hands of the "haberdasher," Anthony Marler, referred to in a note on a previous page, who appears to have been what we should now call the "publisher" officially appointed for their sale. At a Privy Council held at Greenwich on April 25, 1541, "It was agreed that Anthony Marler, of London, merchant, might sell the Bibles of the Great Bible unbound for ten shillings sterling; and bound, being trimmed with bullions, for twelve shillings sterling:"[8] sums equal to £6 and £7 of modern money. But shortly afterwards Marler writes to the council complaining that the books remain unsold, and that he shall be "undone" if the parishioners are not compelled to provide themselves with copies of the Bible for use in every parish church in the kingdom.[9] A proclamation to this effect was, therefore, issued on May 6, 1541, imposing a fine on those who failed to comply with the order before November 1st of the same year.[1] Cranmer, like other learned men, was, however, still dissatisfied with the version provided. On January 27, 1541-2, he addressed the newly-elected Convocation on the general question of reformation, and ended by declaring "that in the translations both of the Old and New Testaments there were many points which required correction, and that it was, therefore, his wish that the prolocutor and clergy should retire to the Lower House, and come to an agreement on the proper method for examining the books mentioned."[2]

License for sale of Great Bibles at a fixed price

Cranmer takes steps for an improved translation

After this the business was vigorously carried on for some weeks, and there seemed good hope that an authorized version of the Scriptures would be pro-

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[8] Acts of the Privy Council, p. 181.

[9] Ibid., p. 186.

[1] Wilkins' Concil., iii. 856.

[2] Ibid., 860.

CHAP. X.

A.D. 1541-2

vided such as would meet all requirements. As soon as the Archbishop had committed it to the consideration of the Lower House of Convocation, he laid it also before the Upper House, taking a vote whether or not the "Great Bible" of the previous year could be retained without scandal to the learning of the clergy. It was decided by a majority of the bishops that it should not be retained, but that it should be examined and amended "according to that Bible which is usually read in the English Church," that is, the Vulgate, as it stood in the Sarum Breviary and Missal, where nearly the whole of it was to be found in the Lessons, Gospels, and Epistles, &c.[3] Eventually it was decided to distribute the New Testament first among fifteen bishops[4] for "perusal," the Old Testament being put into the hands of the members of the Lower House.

Great Bible to be corrected

Committees appointed for still more thorough revision

About ten days afterwards, on February 13th, the Lower House of Convocation sent up to the archbishop and bishops a list of passages which they considered to require better translation: and the Upper House having generally come to a similar conclusion,[5] joint committees of the two houses were appointed to consult as to the best means to be

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[3] It was not until later than this that the clergy were directed to read Lessons in English during the time of Divine service, though probably the Epistles and Gospels had been so read for some years.

[4] Fuller copied from the Records of the Convocation (since destroyed) the order of distribution:—

St. Matthew	Archbishop Cranmer
St. Mark	Longland, Bp. of Lincoln
St. Luke	Gardiner, Bp. of Winchester
St. John	Goodrich, Bp. of Ely
Acts of Apostles	Heath, Bp. of Rochester
Romans	Sampson, Bp. of Chichester
1 & 2 Corinthians	Capon, Bp. of Sarum
Galatians Ephesians Philippians Colossians	Barlow, Bp. of St. David's
1 & 2 Thess.	Bell, Bp. of Worcester
1 & 2 Timothy Titus Philemon	Parfew, Bp. of St. Asaph
1 & 2 Peter	Holgate, Bp. of Llandaff
Hebrews	Skyp, Bp. of Hereford
St. James 1, 2 & 3 St. John Jude	Thirlby, Bp. of Westminster
Revelation	Wakeman, Bp. of Gloucester Chambers, Bp. of Peterbro'

[Fuller's Church Hist., ii. 107, ed. 1837.]

[5] Bishop Gardiner handed in a list of Latin words which he had

pursued for a searching examination of the whole English Bible, with a view to improvement of the translation. The two committees consisted of the following members :[6]—

CHAP X
A.D. 1541-2

OLD TESTAMENT COMMITTEE.

Lee, Archbishop of York.
*Goodrich, Bishop of Ely.
*Redmayne, afterwards Master of Trinity College, Cambridge.
*Taylor, afterwards Bishop of Lincoln.
*Heynes, ,, Dean of Exeter.
*Robertson, ,, Dean of Durham.
*Cox, ,, Bishop of Ely.
And others.

NEW TESTAMENT COMMITTEE.

Tunstal, Bishop of Durham.
Gardiner, ,, Winchester.
*Skyp, ,, Hereford.

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collected, and which he thought should be transferred into English in their idiomatic form. The following is his list :—"Ecclesia, Pœnitentia, Pontifex, Ancilla, Contritus, Holocausta, Justitia, Justificare, Idiota, Elementa, Baptizare, Martyr, Adorare, Dignus, Sandalium, Simplex, Tetrarcha, Sacramentum, Simulacrum, Gloria, Conflictationes, Ceremonia, Mysterium, Religio, Spiritus Sanctus, Spiritus, Merces, Confiteor Tibi Pater, Panis præpositionis, Communio, Perseverare, Dilectus, Sapientia, Pietas, Presbyter, Lites, Servus, Opera, Sacrificium, Benedictio, Humilis, Humilitas, Scientia, Gentilis, Synagoga, Ejicere, Misericordia, Complacui, Increpare, Distribueretur orbis, Inculpatus, Senior, Apocalypsis, Satisfactio, Contentio, Conscientia, Peccatum, Peccator, Idolum, Prudentia, Prudenter, Parabola, Magnifico, Oriens, Subditus, Didrachma, Hospitalitas, Episcopus, Gratia, Charitas, Tyrannus, Concupiscentia, Cisera, Apostolus, Apostolatus, Egenus, Stater, Societas, Zizania, Christus, Conversari, Profiteor, Impositio manuum, Idololatria, Dominus, Sanctus, Confessio, Imitator, Pascha, Innumerabilis, Inenarrabilis, Infidelis, Paganus, Commilito, Virtutes, Dominationes, Throni, Potestates, Hostia." [Ibid., p. 108.] It will be observed that Gardiner's principle was largely carried out in our present translation, where many words are kept in a Latin form, as Redeemer, Regeneration, Reconcile, Resurrection, Ascended, which were preferred to the old English Againbuyer, New-birth, At-one-making, Again-rising, Steighed.

[6] Wilkins' Concilia, iii. 861.

Heath, Bishop of Rochester.
*Thirlby „ Westminster.
Dr. Wotton, afterwards Dean of Canterbury.
* „ Day, afterwards Bishop of Chichester.
„ Coren, Archdeacon of Oxford.
„ Wilson.
„ Leighton.
* „ May, Dean of St. Paul's.
And others.

Competent learning of these Committees

These committees contain the names of men thoroughly competent, from their acquaintance with Hebrew, Greek, Latin, and other languages, to undertake the work: and a majority of the divines named (those distinguished by asterisks), were afterwards employed in the translation and revision of the Services for the Book of Common Prayer.[7]

Henry VIII. stops the good work.

But the labours of these learned men were interrupted before much progress had been made. The King sent a message to Convocation on March 10, 1541-2, by Archbishop Cranmer, to the effect that it was his will and pleasure for the translations of the Scriptures to be submitted to the two universities. The members of the committees represented to Cranmer that this was highly inexpedient, as the learning of the universities was then at a very low ebb, and the control of everything both at Oxford and Cambridge in the hands of young men, whose judgment was not to be relied on for so important an object. Cranmer, however, placed the will of his Sovereign before everything, and this remonstrance had no effect. No steps were taken to appoint translators from the universities, and thus a most promising plan fell to the ground for more than sixty years through the obstructive interference of the King. The Epistles to the Corinthians are known to have been finished, and there can be no doubt that many other portions also were in a forward state.

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[7] See Annotated Book of Common Prayer, p. xxii. ed. 1866.

Perseverance of the Bishops in trying to secure a good translation

What has been narrated will show that the ecclesiastical rulers and guides of the Church of England were fully awake to the importance of providing an accurate translation of the Holy Bible at an early period of the Reformation; that they persevered for some years in their endeavours to obtain one; that their matured plans were substantially identical with those afterwards carried out for the production of our present noble authorized version: and that what was done in 1611 by a royal commission must have been done in 1541 by a proper synod of the Church, if it had not been for the weakness of Cranmer in yielding to the interference of Henry the Eighth.

The consequence of that interference was that the "Great Bible" of 1539 (well-known to us still by our Prayer Book Psalms) continued to be the authorized version of the Church of England until 1568, when it was superseded by that made under the direction of Archbishop Parker: which was to be superseded in its turn, after forty years, by that since used for two centuries and a half. The history of these later translations must be followed up in subsequent chapters.

CHAPTER XI

THE RISE OF PROTESTANT DISSENT

CHAP XI

THE Reformation of the Church of England was, in the main, effected upon conservative and constitutional principles: and especial care was taken at all times to avoid anything that would break into the continuity of its life. This principle did, in fact, deeply influence all the official movements of the Reformation. All the more solid, learned, and thoughtful reformers said to themselves—"If we break off from the Old Church of England, we cut away the ground from under our feet. We must continue the line of the episcopate, and hand it on unbroken to our descendants; we must provide a true priesthood the same in every respect as has been provided hitherto; we must guard the ancient sacraments of the Church, and take care that no essentials shall be wanting to their due administration; *recté* and *rité*, as to principles and ritual; we must see that whatever changes may be expedient in our Liturgy and other services, nothing is taken away, nothing added, which shall cut them off from the fellowship of primitive offices: we must maintain the creeds intact; and, whatever special formularies may be needed for our special

Prudence and caution of best Reformers

position, we must in all things be sure that the Catholic faith is still held by the Church of England. Let Rome treat us how she will, be it ours so still to hold our place in the one body of Christ, that we may still claim union with her, and with all living branches of the one true Vine."

Others of a different class

But there was a large and increasing body of Englishmen in whose eyes such orderly principles were of no value; men who knew very little of history or theology, who lived in a narrow circle of present interests, who were not scrupulous as to national or individual honour, who had strong hankerings after novelties, and who, above all, were saturated with self-confidence. These men laid the foundations of that sectarian spirit which has been known for three centuries by the names of Protestantism,[1] Puritanism, Nonconformity, and Dissent; and which is, in reality, as strongly antagonistic to the fundamental principles of the Church of England as to those of the Church of Rome.

Wickliffe and the Reformation

English Protestants generally trace up their origin to Wickliffe and the Lollards; and those who overlook the orderly character of the Church of England Reformation identify the two movements and consider Wickliffe as the father of both. But, as it is remarked by Archdeacon Hardwick, "the rise, the progress, and the final triumphs of the English Reformation were not sensibly affected by his principles."[2] The influence of Wickliffe passed away, indeed, at his death, so far as it was an influence for good. His followers were unworthy to be called religious reformers, their opposition to the established order of things in the Church being only part of that opposition which they offered to established order in general. But the spirit which had arisen among Wickliffe's followers was never laid: and when the bright light of a true Reformation began to dawn, it was at once obscured by the clouds of sectarianism which were already floating in its pathway.

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[1] The name of "Protestant" was originally imported from Germany. In the year 1529 the Diet of Spires passed a decree forbidding unauthorized interference with the doctrines or worship of the Church, and this was protested against by some of the petty German dukes at the instigation of Luther. These and their adherents were called Protestants, and the name was gradually assumed by the extreme opponents of Rome in general. Foxe says that those who were called by this name in his day were in Henry VIII.'s time "noted and termed among themselves by the name of 'known-men' or 'just-fast-men'" [Acts and Mon., iv. 213], a curious early instance of the "slang" terms so prevalent at all times among them.

Wolsey and the "heretics"

During the time of Wolsey's rule, these rising opponents of the Church were so far tolerated that none of them ever suffered severe punishment. They were required to abjure their heresies, and did abjure them readily enough, being, however, quite as ready to take them up again as they had been to lay them down;[3] sometimes they were made to bear faggots in a public procession by way of penance,[4] and to wear a faggot embroidered on the sleeve of the coat;

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[2] Hardwick's Hist. of the Christian Church during the Reformation, p. 180, ed. 1865.

[3] Those who recanted, or "abjured," are spoken of as suffering confessors by Foxe "the Martyrologist." A great number recanted (some of fearfully blasphemous language) in the immense diocese of Lincoln under Longland: but it is singular to observe that even Foxe could only discover seventeen such abjurers during the sixteen years, 1512-1527, in the diocese of London. He reckons about twelve as burnt for heresy throughout England during the same time, but he is uncertain about some of these, and very vague about all of them. [See Acts & Mon., book vii.]

[4] This penance was continued in the time of Edward VI. On Low Sunday 1549, a man named Champneys bore a faggot at the Paul's Cross Sermon, Coverdale being the preacher. On the following Sunday a Colchester farmer named Putto did the same, repeating the penance afterwards at Colchester. [Stow's Chronicle of the Grey Friars, London, p. 58.]

in aggravated cases they were put in the stocks, and imprisoned. But the character of the Cardinal was too mild and gentle to impose the penalties which the law enjoined upon them, and his influence extended so widely that few, if any, authentic cases can be produced in which those penalties were inflicted with his knowledge or concurrence from the time of his advent to power to that of his fall. As has been said in the second chapter, one charge in the indictment brought against him after his fall was that he had endangered the Christian religion by his extreme leniency towards heretics, and some illustrations of that leniency will be found in the same chapter. His tolerance was not that of a good-natured man indifferent to religion, but the patient spirit of a large-hearted one who could bear the revilings of foolish "doctrinaires" without retorting upon them with severity; and who, with all his strong feelings as to orthodoxy, would rather win them from their follies by wise remonstrances than give them a false glare of martyrdom by punishment. And in this he was far in advance of all other men of his age, whether they belonged to the conservative party, as did Sir Thomas More, or to the party of progress, as did Archbishop Cranmer and Bishop Latimer.

Grounds of his tolerance

Organized anti-Church party

The anti Church party seems to have possessed some degree of organization under the name of "The Christian Brethren," and to have made its first efforts at proselytism by circulating books in which the principles and practices of the Church of England were strongly denounced. One of its agents obtained a footing at Oxford as early as the year 1527. This was Thomas Garrett, then Curate, and ten years afterwards Rector of All-Hallows, Honey Lane (now

Garrett's visit to Oxford with anti-Church books

Commission to search for his associates

united to St. Mary-le-Bow) and formerly Fellow of Magdalen. At Easter and Christmas, in the year named, he visited Oxford; and on his second visit he remained for several weeks, gathering a number of the young men around him in meetings which were supposed to be secret, and selling them books which he had brought with him.[5] Wolsey knew of his visit, and did not at first interfere; but eventually found it necessary, in deference to a letter from Bishop Longland, in whose diocese Oxford was, to send down commissioners to search for the books, which were forbidden by the King and the Pope.[6] It seems, however, that he contrived means for the escape of Garrett, for a warning was given to the latter by Cole, one of the Proctors of the University, who was known to Wolsey and shortly after became his cross-bearer. Garrett left Oxford accordingly on February 18, 1527-8, but was eventually taken at Bedminster, near Bristol, and carried before Wolsey, who imprisoned him for a time, and then dismissed him after a ready abjuration.[7] The commissioners at Oxford (the chief of whom were Dr. Cottesford, Master of Lincoln, Dr. London, Warden of New College—a visitor of the monasteries afterwards—and Dr. Higdon, Dean of St. Frideswide) proceeded with their search, and discovering a number of young men, as already stated, who had bought Garrett's books, and more or less sympathized with their contents, they caused them to bear faggots at Oxford, and there the matter ended.[8]

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[5] Strype names the following:—"Delaber of Alban Hall; Clark, Sumner, Bets, Taverner, Radley, Frith, Cox, Drum and others, of St. Frideswide's, or the Cardinal's College, now Christ's Church; Udal and Diet and others of Corpus Christi; Eden of Magdalen College; others of Gloster College; two monks of St. Austin's of Canterbury, named Lungport; and John Salisbury of St. Edmund's Bury; two white monks of Bernard College; two canons of St. Mary's College, one whereof was Robert Farrar, afterwards a bishop and a martyr; and divers more." None became distinguished divines. Strype's Ecc. Mem., i. 569, ed. 1822.

[6] Ellis' Orig. Lett., III. ii. 77.

[7] Either he got into trouble again, or his rector was also implicated: for John Whalley writes to Cromwell in 1529, "As touching the Prior of Reading, one of the prisoners in the Tower, within three days after your Mastership departed, was removed from Fryth and his fellows into Beauchamp Tower, accompanied with *the parson of Honey Lane*, and Christopher Coo, *to be converted*." Ellis' Orig. Lett., III. ii. 163.

The "White Horse" divines of Cambridge A.D. 1523

Some four years before this, a theological party of much greater importance was forming at Cambridge, the members of which, says Strype, "flocked together in open streets, in the schools, and at sermons in St. Mary's and at St. Austin's, and at other disputations." The names given by him are those of Dr. Barnes, Stafford, a divinity reader, Bilney, Latimer, Dr. Thixtel, Thomas Allen, of Pembroke, Dr. Farman, President of Queen's, Mr. Took, Mr. Loude, of Bennet, Mr. Cambridge, Field, Colman, Coverdale, Bachelors of Divinity, Parnel, of St. Austin's, Thomas Arthur, Dr. Warner, Segar Nicholson, Rodolph Bradford, of King's, and Dr. Smith, Fellow of Trinity Hall. "These, and a great many more, met often at a house called the White Horse, to confer together with others, in mockery called Germans, because they conversed much in the books of the divines of Germany brought thence. This house was chosen because those of King's College, Queen's College, and St. John's might come in at the back-side, and so be the more private and undiscovered."[9] At the time this party was first forming at Cambridge, in the year 1523, Wolsey had refused to interfere when his legatine authority was invoked, the refusal being made the forty-third charge in his indictment seven years afterwards. But when Oxford was called to account, it was necessary also to take some steps respecting Cambridge.

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[8] There is a long-winded narrative of these transactions in Foxe, written by one Anthony Delaber. From his own account he was a very unscrupulous undergraduate, who set no value on *truth* though he talked loudly about "*the* Truth." He escaped all punishment and was living in 1562.

[9] Strype's Ecc. Mem., i. 568, ed. 1822.

Wolsey's leniency towards the innovators

Bilney and Arthur were accordingly summoned before the Cardinal and his synod at Westminster, on November 27, 1527, when both of them readily abjured, and were dismissed, doubtless with an admonition as to future conduct. Barnes was also brought before the Cardinal, as has been before narrated. Latimer too was summoned, but dismissed by Wolsey with very kindly words and a general preaching license, which gave him authority to preach in any part of England. Such was the character of the "persecution"[1] which the anti-Church party underwent at the hands of Wolsey. Some who escaped so easily then, received a very different treatment afterwards at the hands of others.

Severe enforcement of heresy laws by Wolsey's successors

For after the influence of Wolsey had passed away, the laws against heresy began to be enforced with great rigour, such as had, indeed, never been used before, a severity which continued in force for a third of a century, and gives a miserable character to the period.

History of heresy laws

A short history of these laws will not be unacceptable to the reader before entering upon the account of their practical application and subsequent modification in the last twenty years of the reign of Henry VIII.

The correction of misbelievers was originally part of the ordinary jurisdiction of every bishop: and it remained on this footing by the common law of England until the year 1381. The punishments awarded were mostly of a spiritual nature, penance and excommunication; but penance mostly included some bodily infliction, and excommunication entailed civil pains and penalties. In very serious cases of heresy, the bishops appear to have made a practice of carrying them from their own jurisdiction to that of a provincial synod:[2] as was done in the notorious cases of Sawtrey, Badby, and Barton, in the years 1400, 1409, and 1416, and of Latimer in 1530.

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[1] "Wolsey's persecution."—Froude's Hist. Eng., i. 71.

History of laws against heresy

The dreadful sentence of burning alive was formerly a familiar one, being always passed on men for certain unnatural crimes, and on women for all capital crimes, down to the year 1790.[3] Blackstone says, however, that "the humanity of the English nation has authorized, by a tacit consent, an almost general mitigation of such parts of these judgments as savour of cruelty, . . . there being very few instances (and those accidental or by negligence) of any person being embowelled or burned till previously deprived of sensation by strangling."[4] This mode of punishment was first adopted for heresy in Spain, in the time, and (as is commonly alleged) by the instigation of the founder of the Dominican order, who died A.D. 1221. The third of the Constitutions of Innocent III. (commonly called the Canons of the fourth Council of Lateran, A.D. 1216) decrees that

Punishment of burning

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[2] See Bishop Gibson's elaborate note on 2 Hen. IV. cap. 15, in Tit. xvi. cap 1, of his Codex Juris Ecc. Anglican.

[3] The last female criminal was burned, for coining, on March 18, 1789, and the execution is described by an eyewitness in Notes and Queries, 1st Series, ii. 260. Death by hanging was substituted by 30 Geo. III. cap. 48. See also the Annual Register for 1789, p. 203.

[4] Blackstone's Comment., Book IV. ch. xxix.

convicted heretics shall be given up for punishment to the secular arm, and burning was undoubtedly introduced about that time as the recognised punishment to be awarded.

But in England no person is known to have been burned for heresy before the beginning of the fifteenth century, that of the priest Sawtrey being the first on record: nor does any severe bodily punishment appear to have been inflicted until about twenty years before that date, when the first statute on the subject was passed by a parliament held in the fifth year of Richard the Second.[5]

First statute against heretics A.D. 1381

This Act of Parliament [5 Rich. II. cap. 5] was levelled against unlicensed preachers, who, without sufficient authority, were accustomed to preach in markets, fairs, and other public places, as well as in churches and churchyards, their sermons "containing heresies and notorious errors to the great emblemishing of the Christian faith, and destruction of the laws and of the estate of Holy Church, to the great peril of the souls of the people, and of all the realm of England." These preachers are charged with engendering "discord and dissension between divers estates of the said realm, as well spiritual as temporal, in exciting the people, to the great peril of all the realm." And, since they will not obey the summons or commandment of the ordinaries, "nor care for their monitions, nor censures of the Holy Church, but expressly despise them," it is enacted that sheriffs and other officers of the King shall arrest such preachers as are proceeded against in

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[5] The common idea that this act never received the assent of the House of Commons is disproved by Bp. Gibson: Codex, Tit. xvi. cap. 1.

Chancery by the bishops, and shall "hold them in arrest and strong prison, till they will justify them according to the law and reason of Holy Church." The effect of this Act was that when a bishop laid an information in Chancery against any of these seditious preachers, the chancellor issued his warrant to the sheriff, who took the accused into custody, and kept him until judgment was passed after a proper legal trial.

Statute for burning heretics A.D. 1400

Another Act of a similar kind, but much more severe, was passed in the year 1400. This is the famous Statute *de hæreticis comburendis* [2 Hen. IV. cap. 15], by which the English Parliament, not the English Church, introduced into our country the punishment of burning heretics. The preamble of the Act charges the unauthorized preachers with making unlawful conventicles and confederacies, holding schools and writing books in which "they do wickedly instruct and inform people, and, as much as they may, excite and stir them to sedition and insurrection," with subverting the Catholic faith, diminishing God's honour in the land, and destroying "the estate, rights, and liberties of the Church of England." It repeats the declaration of the previous Act that the authority of the bishops is set aside and despised. It then enacts that none shall preach without his bishop's license except in their own churches; that none shall teach or write, either in churches, schools, or conventicles, anything contrary to the Catholic faith; that all existing books of an heretical nature shall be delivered up to the diocesans within forty days, under pain of imprisonment: and that any person convicted of teaching such errors may be imprisoned at the discretion of the bishop, as well as fined by a secular court. Finally, it enacts that obstinate heretics who refuse to renounce their heresies shall be given up by the bishop to the mayor or sheriff of the place or county, who "them shall receive: and them before the people in an high place do to be burnt, that such punishment may strike in fear to the minds of others," &c. &c.

Act against Lollards A.D. 1414

In the following reign, another Act was passed [2 Hen. V. cap. 7] for the reformation of heresy and Lollardy, in which the statements of the last are repeated, with the addition that the Lollards and heretics had combined for the destruction of the King.[6] This Act imposed an oath on all judges, sheriffs, and officers of the King to extirpate Lollardy to the utmost of their power:[7] and declared the goods of all convicted heretics to be forfeited to the Crown. This was the last Act on the subject until the year 1533, and the only addition to the ordinary course of law during the interval was in the earlier part of the reign of Henry VIII., when, on October 20, 1521, he issued a proclamation to mayors, sheriffs, &c., requiring them to assist Bishop Longland in extirpating the "no small number of heretics," for which the diocese of Lincoln was at that time distinguished.[8]

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[6] The Advanced Republicanism of the age preceding the Reformation (considering how it slumbered afterwards) is very surprising. Lord Cobham, known also as Sir John Oldcastle, was a companion of Henry V. in his boisterous youth, and though known among Protestants as an early Protestant martyr, seems to have been the original of the profligate characters introduced into plays under his name long before the time of Shakespeare, and by the great dramatist himself in Henry V. [though for some reason he altered Oldcastle to Falstaff in the later representations and editions of the play. (See Collier's Shakespeare, Introduc. to Henry IV.) But traces of the former name yet remain, *e.g.* when Prince Henry calls Sir John 'my *old* lad of the *castle*' (I. ii.)]. On his marriage with Lady Cobham he took up the line of opposition to his sovereign which her previous husband had taken towards Richard II. Whether he was ever really religious or not is far from clear. Immediately on the ascension of Henry V., Lord Cobham endeavoured to make the Lollardism of the day a stepping-stone to the advancement of his own ambition, probably thinking (as his prototype Sir John Falstaffe is represented as thinking) that Henry was a weak youth, and might easily be set aside. Cobham's ambition must have been large, for he contemplated nothing less than a sort of Red Republic with himself for its head. He caused anonymous papers to be posted on the doors of the London churches, in which it was declared that if any revival of the laws against heresy took place under the new reign (inventing the report that such a revival was intended), 100,000 men would rise in rebellion against such a measure. It is this movement which is referred to in the preamble cited.

[7] This oath was continued until the reign of Charles I., when Sir Edward Coke refusing to take it as sheriff of Buckingham, the judges decided that it had become obsolete.

Of the leniency with which the laws against heretics were administered under the rule of Cardinal Wolsey enough has been said already. It may, however, be added, that there is no sound evidence of their severe administration at any time until after his fall, the stories given by Foxe being generally reducible to evidence of the weakest and most untrustworthy character that is possible.

House of Commons on heresy A.D. 1529

In the year 1529 the House of Commons, always on the side of severity at this time, gave a new impulse to the execution of the laws under review. In their memorial to the King against the ordinaries, their first complaint is that the laws against "new fantastical and erroneous opinions grown by occasion of frantic seditious books compiled, imprinted, published, and made in the English tongue, contrary and against the true Catholic and Christian faith," are badly administered by them, and require more strict laws to be made. That there certainly was some unwillingness to press them closely is evident from their reply :—

> "Item where they desire that by assent of your Highness (if the laws heretofore made be not sufficient for the repression

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[8] Wilkins' Concil., iii. 698.

of heresy) more dreadful and terrible laws may be made; this we think is undoubtedly a more charitable request than as we trust necessary, considering that by the aid of your Highness, and the pains of your Grace's statutes freely executed, your realm may be in short time clean purged from the few small dregs that do remain, if any do remain."

It is not unlikely that Sir Thomas More had some hand in this memorial, and his severity towards heretics is evident not only from doubtful records of his acts but from his words that he had been "troublesome to heretics;"[9] and from the inscription composed with his own hand for his tomb at Chelsea, "furibus autem et homicidis, *hereticisque*[1] molestus." "He so hated this kind of men," his son records, "that he would be the sorest enemy that they could have, if they would not repent."

Bilney burned for heresy A.D. 1531

The first of those who suffered under the aroused energy of the law was Bilney, who had been in controversy with Sir Thomas More, and had recanted under Wolsey's wise guidance in 1527. He was an eccentric, melancholy man, and it is specially recorded of him that he had an unconquerable aversion to music. Latimer says respecting him and his recantation,—

> "I knew a man myself, Bilney, little Bilney, that blessed martyr of God, who, what time he had borne his faggot, and was come again to Cambridge, had such conflicts within himself (beholding this image of death) that his friends were afraid to let him be alone. They were fain to be with him day and night, and comfort him as they could, but no comfort would serve. And as for the comfortable places of Scripture, to bring them unto him, it was as though a man should run him through with a sword."[2]

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[9] More's Life of More, p. 211.

[1] This word was not engraved on the stone, a blank space being left for it.

[2] Latimer's Sermons, i. 200. He mentions other cases of despondency which seem like Bilney's to have been caused by ill-balanced minds

This depression so worked upon his mind that at the end of two years he went into Norfolk (profanely comparing himself to our Lord "setting His face to go up to Jerusalem"), and by ostentatious preaching against the Church and equally ostentatious circulation of books forbidden by law, he brought down upon himself the necessary consequences of such acts. He was apprehended, and being condemned as a relapsed heretic, suffered the penalty of the law at Norwich, on August 31, 1531.[3] It is a pleasing feature in the otherwise painful scene of his death that the monks and clergy came around him, and that they exchanged affectionate words with him to the last, Bilney telling the crowd that they were not the cause of his death. They had, in fact, no differences of opinion, Bilney bringing about his condemnation and death by a kind of recklessness in sowing religious discontent and sedition, which came within the then current definition of heresy.

The monk Bayfield burned for heresy A.D. 1531

The same cause led to the same fate Bayfield, a monk of Bury St. Edmund's, who was burned in Smithfield at the end of November 1531. He had been a very busy disseminator of such ribald books as Tyndale's; and although it is convenient for party historians to class all such books with "Tyn-

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dwelling too much upon the points of Calvinistic controversy now getting into popular notice. Foxe mentions a similar case of religious suicidal mania, that of his own relative John Randall, a scholar of Christ's College, Cambridge, who hanged himself in his chamber, and when found had his dead finger still pointing, and his face turned, towards a passage on Predestination in a Bible lying open before him. Of course Foxe suggests that the young man was hanged by his tutor! [Acts and Mon., iv. 694, ed. 1837.]

[3] This is the date given by Collier from the Norwich register. Foxe says it was the day after St. Magnus' day, which would be August 20th.

dale's New Testament," they were works which deserved to be forbidden in the then state of religious opinion, leading as much to sedition as to novelty in religion.

Bainham burned for heresy A.D. 1532

A third instance of the same kind was that of James Bainham, a barrister of the Middle Temple, whose association with the extreme members of the anti-Church party is shown by the fact of his marriage to the widow of Simon Fish, who had written and published the vile and slanderous libel which is known as the "Supplication of the Beggars." He also was burnt as a relapsed heretic in Smithfield, on April 30, 1532.

Frith and Hewett burned for heresy A.D. 1533

Another notorious case is that of John Frith, a young priest who had been brought from Cambridge to Oxford by Wolsey on account of his promise as a scholar. He was involved in the affair of Garrett and Delaber, but was released from confinement on condition of not going ten miles from Oxford. Frith, however, broke this condition, and went abroad, where he remained for two years. He was in some way connected with the Prior of Reading, having been imprisoned with him in the Tower in 1527. On his return from abroad Frith is first heard of as being put in the stocks at Reading under the hard vagrant laws described in a former page. Eventually he was again apprehended and sent to the Tower: and after much controversy between him and Sir Thomas More, he was required to justify his opinions before Archbishop Cranmer, and afterwards before a commission appointed by the King. Archbishop Cranmer writes about him in the following cold-blooded style in a gossipping letter to Archdeacon Hawkins,—

"Other news have we none notable, but that one Frith, which was in the Tower in prison, was appointed by the King's Grace to be examined before me, my Lord of London, my Lord of Winchester, my Lord of Suffolk, my Lord Chancellor" [Audley], "and my Lord of Wiltshire, whose opinion was so notably erroneous that we could not despatch him, but was fain to leave him to the determination of his ordinary, which is the Bishop of London. His said opinion is of such a nature, that he thought it not necessary to be believed as an article of our faith, that there is the very corporal presence of Christ within the host and sacrament of the altar; and holdeth of this point most after the opinion of Œcolampadius. And surely I myself sent for him three or four times to persuade him to leave that his imagination; but for all that we could do therein, he would not apply to any counsel. Notwithstanding, now he is at a final end with all examinations, for my Lord of London hath given sentence, and delivered him to the secular power, where he looketh every day to go unto the fire. And there is also condemned with him one Andrew" [Hewett] "a tailor" ['s apprentice] "of London, for the self-same opinion."[4]

Both Frith and Hewett were burned a few days afterwards, on July 4, 1533, in Smithfield.

Two other such victims of the cruel Statute *de hæreticis comburendis* in this reign will be mentioned, though they suffered at a later date, as they add further illustration with respect to the character of the anti-Church party.

Lambert burned for heresy A.D. 1538

The first is John Lambert, *alias* Nicholson, who was burned in Smithfield in the year 1538. This Lambert was a friend of Bilney, being a young priest of Cambridge. He had been in prison under Archbishop Warham, and had shown a wonderfully contentious and self-conceited spirit in the controversy which had arisen out of that imprisonment. Being set free he voluntarily gave up all clergyman's work and wandered about on the Continent. Returning to England he took pupils, but could not keep them, and thus they not keeping him he turned grocer. In 1538 his old *odium theologicum* was revived by a sermon which he heard preached by Dr. Rowland Taylor, who, with Dr. Barnes, informed the Archbishop of Lambert's heretical opinions.[5] Cranmer tried to reclaim Lambert, but the young priest was far too self-opinionated to yield to argument. He wrote a book on the subject of the Eucharist, which he sent to the King, and this led to the public trial before Henry in person. His opinions were simply those held by modern anti-Sacramentarians, and were, of course, intolerable to the King. Lambert was sentenced to death by Cromwell in the presence of the King, Cranmer, and the court, and suffered shortly afterwards.

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[4] Jenkyns' Cranmer, i. 32. Frith himself was the son of a tavern-keeper at Sevenoaks.

Anne Askew burned A.D. 1546

The other victim to be mentioned is the lady known as Anne Askew, who was burned in the year 1546, at the close of Henry's reign. She was the daughter of Sir William Askew or Ayscough of South Kelsey, in Lincolnshire. Although always spoken of by her maiden name she was, in reality, the wife of a country squire named Kyme, whom and her two children she deserted, and whose name she dropped. Her sister had previously been married to him, so that the whole business was one of a disgraceful character, which no party apologies can make respectable.

When brought before the Council this was the first matter about which she was questioned. She declined—as these people almost always did—to give a straightforward answer, but told the Chancellor that he already knew her mind on the subject. On further demands for her explanation of such conduct, she said that she would explain to the King; and when told that the King could not be personally troubled with her cause a most reasonable reply—she quoted Scripture about the wisest king hearing two poor women, &c. &c. In the register of the Privy Council this examination is recorded as follows :—

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[5] Taylor, Barnes, and Cranmer were all afterwards put to death in the same manner as Lambert.

> "At Greenwich, June 19th, 1546.—Thomas Keyme, of Lincolnshire, who had married one Anne Ascue, called hither, and likewise his wife, who refused him to be her husband without any honest allegation, was appointed to return to his country till he should be eftesoones sent for, and for that she was very obstinate and heady in reasoning of matters of religion wherein she showed herself to be of a naughty opinion. Seeing no persuasion of good reason could take place, she was sent to Newgate to remain there to answer to the law. Like as also one [Christopher] White, who attempted to make an erroneous book, was sent to Newgate, after debating with him of the matter, who showed himself of a wrong opinion concerning the blessed sacrament."

Mrs. Kyme, *alias* Askew, seems to have had secret communications with Queen Catherine Parr, the Duchess of Suffolk (Catherine Baroness Willoughby d'Eresby, not the King's sister), the Countess of Sussex (herself also separated from her husband, and charged with endeavouring to marry Sir Edmund Knyvett while her husband was living),[6] the Duchess of Somerset, and other ladies of the court. These communications she denied, but Henry VIII. had evidence of them, and supposing them to be of a treasonable nature, had her examined (some say with torture, but on no very good evidence)[7] in the Tower, for the purpose of eliciting all she knew on the subject. There was, no doubt, something mysterious about Queen Catherine Parr's conduct towards the close of Henry's life, and that astute head of hers may have been scheming to countermine by some plot Henry's usual treatment of his wives.

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[6] In Edward VI.'s reign (1552) this Countess of Sussex was imprisoned with Anne Hartlepool on a charge of sorcery and of asserting

Whether Anne Askew was really guilty of the treason alleged against her, it is impossible to say certainly. By dragging in her religious opinions, which were Anabaptist, she diverted in some degree the charge of treason, and acquired a claim to the veneration of those who then and afterwards craned up all the misbelievers of this period to the dignity of witnesses for the truth. She was burned in Smithfield, in June 1546, with John Lascelles,[8] a gentleman of the court, and two others.

Extreme cruelty of Henry VIII. in these years

In considering these cases of execution for alleged heresy it must be remembered that they took place in that part of King Henry VIII.'s reign which was otherwise so fearfully stained with judicial slaughter. Foxe narrates twenty-six such executions between 1533 and 1546. During those thirteen years the King sent to the scaffold an infinite number of the

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that a son of Edward IV. was yet living. [See State Papers, Edward VI., Dom. xiv. 33.] Philpot speaks of Anne Hartlepool as harbouring Anne Askew in her house, and as herself giving a good and godly example, but falling from the sincerity of the Gospel.

[7] See it summed up in Nicholls' Narratives of the Reformation, pp. 303–309.

[8] This name is mixed up with the proceedings in the Privy Council against Queen Catherine Howard.

nobility, clergy, country gentry, and persons of all other classes. His own queens, Sir Thomas More, Bishop Fisher, Cromwell, the good old Abbot of Glastonbury, all the other victims of the Dissolution, all those of the Pilgrimage of Grace; these, and a vast number of others, were all sacrificed, justly or unjustly, during this time: and thus, even the burning of twenty-six "heretics" was but one painful episode among many of this fearful slaughter.

The "martyrs" not loveable or venerable

The instances given above are those of the persons about whom most is known; and they have been given for the purpose of showing what kind of persons they were who set themselves up in opposition to the Church and its authorities. The historian, however much he may try to be impartial, is tempted to write tenderly about them because of their piteous fate, or rather because of the manner of it. But dissociated from this, there is little to love, or to respect in the so-called "martyrs" of this reign. They were harsh, ungentle persons; disloyal to all that Englishmen loved and venerated; contentious to the last degree; strong partizans in religion, but giving evidence of little practical holiness: and, in short, persons who, if they had not suffered the cruel deaths they did, would have had no claims to the respect or sympathy of posterity. All that can be said in their favour is that they were among the best of their party, and that wrongheaded as they were, nothing which we should now call criminal was alleged against them. They were representatives of the anti-Church party, and circumstances brought forward some of the least odious of that party to represent it.[9]

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[9] A prominent member of the party was Nicolas Udal, Head-Master of Eton. He was made Canon of Windsor and Rector of

As to the actual principles of the anti-Church party something more must be said further on. It is sufficient now to remark that they fully justified the name here given to them by the abusive terms in which they almost invariably spoke of the doctrines and government of the Church of England, and by the continual and virulent hostility which they exhibited towards it.

Alterations in heresy laws

The laws against heresy underwent some modifications (as was mentioned in the beginning of this chapter) during the latter years of Henry VIII.'s reign. Until the year 1533, they continued on the footing on which they had been left by the Act [2 Hen. V. cap. 7] passed in 1514. But at the time when Henry VIII. was remodelling the laws which were associated with the Pope's jurisdiction, he caused the original Statute *de hæreticis comburendis* to be repealed and a new one to be passed through Parliament. This new Statute [25 Hen. VIII. cap. 14] of the year 1533, confirmed those of 1382 and 1414, and re-enacted the punishment of burning. The preamble seems to intimate an intention of softening

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Colborne, and otherwise preferred in the reign of Edward VI., and was a leading man among the exiles at Frankfort. Yet the Acts of the Privy Council show beyond doubt that he had been deprived of his mastership at Eton in March 1541 for unmentionable crimes of the worst possible kind, which he had acknowledged. Thomas Cheyney, the scholar with whom his name is associated, was also convicted of stealing "certain images of silver and other plate" belonging to the College chapel, which he had sold to a London goldsmith named William Emlar: and Udal was all but proved to have been an accomplice in the robbery. The youth was bailed off by his father, but a few months afterwards actually accused that father to the Privy Council of treason! On examination the charge proved to be founded on the fact of Sir Thomas Cheyney having images in his chapel; and it is satisfactory to read of the young villain and would-be parricide—"For that it was thought this accusation proceeded rather of pride than of any just matter, for an example he was committed to the Tower."

These facts are drawn from the Acts of the Privy Council, pp. 152, 153, 273.

the law respecting heretics, and in the fashion of the times accuses the ordinaries of having entangled men by "captious interrogatories:" declaring also that heresy had never been defined by Statute, and that many things were declared heresy as being against canons of the Church which were only human laws. The only attempt at definition in this Act is, however, of a negative kind, the sixth clause declaring that it shall no longer be heresy to speak against the power of the Bishop of Rome. Certainly no one had ever been *burned* for speaking against the Bishop of Rome hitherto, so that no practical amelioration of the law was introduced. Nor indeed was the effect of this Act of 1533 at all of an ameliorating character, for it much enlarged the class of informers, reducing the qualification of such persons from an income of 100 shillings a year to an income of 40 shillings a year, and much facilitating the legal process by which the informers were to carry their charges against heretics before the ordinaries. It may well be doubted whether this Statute had any other object than that of strengthening the King's hands against the Pope: and the merciful intentions which seem to be implied in the preamble are altogether missed in the enacting clauses.

Pretence of mitigation

The "Act of the Six Articles" [31 Hen. VIII. cap. 14] was passed in the year 1539, and was the strictest law ever passed respecting Protestant Dissenters.[1] So much has been said about this in the eighth Chapter of this volume, that it is not necessary to go into details respecting it here. It may be repeated, however, that it was the first Statute

Heresy first defined by statute

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[1] It was somewhat modified by 35 Hen. VIII. cap. 5.

that really attempted to define what the law meant by heresy, and that it imposed the punishment of burning as strictly as previous Acts. It was an Act with which the bishops had no sympathy, and when the House of Commons wished to reimpose it in Queen Mary's reign, their endeavours were defeated by the House of Lords under episcopal influence. This Act was never, therefore, enforced with any strictness proportionate to its terms; and of the persons who suffered for their Protestantism during the remaining eight years of Henry's life (about twenty-six in number) scarcely any, if any, can be proved to have suffered under it.[2]

Three years later, in 1542-3, the last Act of Henry VIII. against heretics was passed [34 & 35 Hen. VIII. cap. 1], under the title of a Statute "for the advancement of the true religion, and for the abolishment of the contrary." Its preamble states that great error and blindness in religion still continue, notwithstanding the doctrines set forth by the King, and the liberty allowed as to the reading of the Bible: that the latter is perverted by false expositions, and thus fresh schisms originated, "to the great inquietation of his Majesty's people, the great displeasure of his Majesty, and contrary to his true meaning and purpose," in permitting the free circulation of Holy Scripture. It forbids Tyndale's translation and other prohibited books, and requires that the annotations shall be blotted out from all other Bibles and New Testaments.[3] It also forbids any unlicensed person to read Scriptures allowed in the churches,[4] and the lower orders having so much abused the privilege of reading them in private, are no longer allowed it except under a license from the King.

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[2] Lord Herbert says persons suffered under it *daily*. He had no authority but Foxe, and Foxe only records twenty-eight sufferers at the utmost, under attainder and all Acts of a similar kind, during the whole time it was in force, which was about three thousand days.

[3] There is a special clause excluding from the operation of this

Irreligious character of legislation against [illegible]

Such was the legislation of this period respecting those who dissented from the established Church. It was a clumsy legislation, which utterly failed to prevent the spread of dissent: and it deserved to fail, for from beginning to end the first principle of it was to uphold the established religion of the country, because it was the religion of the King, and the religion which the King commanded his subjects to believe and observe. From beginning to end there is scarcely a trace of interest in that religion as the truth of God: and these Acts of Parliament respecting it were rather a defence of Tudor tyranny than of the Church of England.

Indefinite principles of the anti-Church Party

Returning to the history of the Dissenters themselves, it may be observed that, in the earlier part of the period under review, there was little among them of anything like positive theology. They began with disbelieving everything, or nearly everything, that was asserted by the Church, and the orthodox party found it difficult to distinguish this "negative theology" from positive infidelity. Luther's writings had some influence upon the least extreme and least ignorant of the schismatics, the Augsburg Confession

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Act, the King's Injunctions, &c. Translations of the Pater Noster, Ave Maria and Creed, Psalters, Primers, Prayers, Statutes and laws of the realm, "Chronicles, Canterbury Tales, Chaucer's books, Gower's book, and stories of men's lives," and requiring the printer's name to be prefixed to every printed work.

[4] The Lord Chancellor, generals, and other officials are permitted to read it in their speeches, &c., the gentry to their families, and merchants to themselves.

of 1530 offered the more learned some standpoints for a system, and Calvin's Institutes, published in 1536, still more formalized their ideas towards the establishment of an anti-Church theology. But what they called "the Gospel" was at the best a cloudy, ill defined budget of negations by which they reduced the doctrines of the Sacraments and of the ministry to nothing, and substituted in their place tedious verbosities about faith and election, out of which little or no practical meaning could be drawn. The marvellous facility which the anti-Church party possessed of saying much about nothing—a facility ever since conspicuous among Scotch Presbyterians and English Dissenters—earned for them a credit for learning among the uncritical and the ignorant: while their outrageous and unscrupulous spirit of self-assertion was a trick that demagogues have always found successful. They were also great adepts at abuse, every priest was called "a Judas," every bishop "an Antichrist," every one who declined to side with them a "fleshly-minded hypocrite;" and the foulest language that filthy imaginations could invent was heaped upon the opponents of "the Gospel" by them in the same breath with unctuous commendation of themselves and their friends.

Tyndale and his tenets

The leading spirit of this early anti-Church party was William Tyndale, and he may be very fairly taken as a type of the class. To the popular imagination Tyndale is a martyr who was burned at the stake for daring to translate the New Testament into English, in which language it is supposed to have been hitherto altogether unknown. In the preceding chapter it has been shown that English Bibles were very far from being unknown at any time since the English language had existed. Tyndale was, in fact, thrusting himself forward as a translator for party purposes, and rather hindering than otherwise the progress of that *Authorized* Version, which alone was ever likely to win its way with a people naturally respecting authority. It should also be added that Tyndale was executed (by strangling, his *dead* body being afterwards burned) at Vilvorden, in the Netherlands, by the order of the Emperor Charles V.; and that his death had nothing to do with his translation of the New Testament.

Tyndale had been a Franciscan friar, one of the Greenwich Observants, but cast off his obligations in early life, and being disappointed in his efforts to obtain permanent homes in rich men's families, went abroad about 1525. Little is known of his life while living abroad, but all his works appear to have been written during the ten years which elapsed between his leaving England and his death in 1535; and from these it is evident that he spent his time in attacking the doctrines and the spiritual rulers of the Church which he had forsaken. His principal works were the "Practice of Prelates,"[5] the "Obedience of a Christian Man," the "Parable of the Wicked Mammon," a book on the Sacraments, and his prologues, or prefaces, to the several books of the Pentateuch, the prophet Jonah, and the books of the New Testament.

These works all show the marks of a keen and clever, but extremely self sufficient man, with enough knowledge of languages to make such a man suppose himself learned, but without any real depth of learning, and with enough facility of expression to lead him to argue, but without any argumentative power. He was also of a very cankered and bitter temper,[6] which led him to fill his pages with abusive language, even when writing of the most sacred subjects. His language respecting the latter was often so shocking, and at the same time so utterly illogical, that it led Sir Thomas More to stigmatize him as a "blasphemous fool." It is certainly a strong evidence of the extent to which party feeling will lead that Tyndale should ever have been respected as a theological writer.

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[5] It must be mentioned to Tyndale's credit that in this work, printed in 1530, he wrote against the King's divorce from Queen Catherine.

A few extracts from Tyndale's writings will show what the early dissenters from the doctrine and discipline of the Church of England had to say for their principles: and probably no other writer among them stated these principles with more vigour.

Respecting the ministerial office, he writes thus in the "Obedience of a Christian Man:"—

> "Sub-deacon, deacon, priest, bishop, cardinal, patriarch, and pope, be names of offices and service, or should be, and not sacraments. There is no promise coupled therewith. If they minister their offices truly, it is a sign that Christ's Spirit is in them; if not, that the devil is in them. . . . O dreamers and natural beasts, without the seal of the Spirit of God; but

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[6] Tyndale quarrelled with both his assistant-translators, Joye and Roye; and writes of the latter in his preface to the "Wicked Mammon" that he was the most crafty man he had ever known with a tongue, able to make fools stark mad, and only a friend so long as he wanted money. He says that he could not do without Roye's help in the translation, but "when that was ended, I took my leave, and bade him farewell for our two lives, and (as men say) a day longer." He speaks against another friend, Jerome (who like Roye and himself was an Observant) in similar terms, calling him Judas; and, insinuating that they were both Antichrists, he quotes St. Paul's words about Antichrist against them. Roye was burned in Portugal in 1531, four years before Tyndale himself suffered.

sealed with the mark of the beast and with cankered consciences. . . . By a priest understand nothing but an elder to teach the younger, and to bring them unto the full knowledge and understanding of Christ, and to minister the sacraments which Christ ordained, which is also nothing but to preach Christ's promises. . . . According, therefore, as every man believeth God's promises, longeth for them, and is diligent to pray unto God to fulfil them, so is his prayer heard; and as good is the prayer of a cobbler as of a cardinal, and of a butcher as of a bishop, and the blessing of a baker that knoweth the truth is as good as the blessing of our most holy father the Pope. . . . Neither is there any other manner or ceremony at all required in making of our spiritual officers than to choose an able person, and then to rehearse him his duty, and give him his charge, and so put him in his room."[7]

What were his principles respecting the Sacraments of Baptism and the Holy Eucharist may be judged from the foregoing quotations; as to Confirmation and other rites of the Church it is enough to say that he spoke of the laying on of hands as a perfectly unnecessary ceremony, and of anointing with the sign of the Cross as "the bishop buttering the child in the forehead." This will be recognised by all who are familiar with Puritan writings as the ordinary style of their controversial theology, and Tyndale may be looked upon as its originator. The marvel is that such a man could ever have been supposed to represent the principles of the Church of England, or to be a martyr for the sake of her reformation.[8] That his writings had great influence and were widely circulated there cannot be a doubt. They established a form of "religious opinion" among the rising middle class, who were socially opposed to the clergy, and being very imperfectly educated, were easily seduced by the racy English of a Reformation Cobbett: and the form of religious opinion so established has been the atmosphere in which all subsequent plantations of unbelief have spread abroad their branches, and lustily thriven in their unfruitful leafiness.

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[7] Tyndale's Doctrinal Treatises, Parker Soc. ed., pp. 254-259.

[8] Ibid., p. 277.

Low social position of the early Dissenters

The social status of the early anti-Church party is indicated by Tyndale's contrast of a cobbler with a cardinal, a butcher with a bishop, and a baker with our holy father the Pope; which is very much confirmed by the narratives of Foxe, whose "martyrs" are mostly of a low social class: and it may be remarked that the classes thus indicated are not placed in a high light as to morals, intelligence, or piety by Shakespeare. They seemed to have been especially unsavoury to the nostrils of the bishops so long ago as 1529, for they said in their reply to the charges of the House of Commons, "Truth it is that certain apostates, friars, monks, lewd priests, bankrupt merchants, vagabonds, and lewd, idle fellows of corrupt intent, have embraced the abominable and erroneous opinions lately sprung in Germany:"[9] and certainly, as far as one can judge, it does seem as if the ranks of those who "believed not" had been largely recruited from "certain lewd fellows of the baser sort" taken out of several classes. But the dissenting faction was to be made still more repulsive to the conservative and gentle part of society by the inroad of Anabaptists from abroad, driven thence by the severities which their rebellion and folly had brought upon them.

Importation of Anabaptists A.D. 1534

These foreign Anabaptists were the fathers of the modern English Baptists. They had been driven out of Lutheran Saxony, and put under the ban of capital punishment in Calvinistic Zurich; but were rehabilitated for a time in Northern Germany under the leadership of John Bockhold, better known as John of Leyden. In 1533 this absurd and savage infidel organized a large body of insurgents at Munster, with the object of sacking that city and taking possession of Amsterdam and other places of importance. The religion of this new prophet and his followers consisted chiefly in anathematizing the Church, running naked in a state of frenzy about the streets, and marrying a number of wives instead of one only. There was nothing to be done with these primitive Baptists but to put them down; and this Charles V. did with a stern and merciless hand that left no room for them in the Netherlands, or in any other part of his dominions. Those who were neither burned nor hanged fled to the universal asylum of all unsuccessful revolutionists, and being somewhat toned down in the course of their transportation were not so outrageously extravagant when they settled in England but that they could find sympathizers among the anti-Church party.

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[9] Froude's Hist. of Eng., i. 211.

These "Anabaptist strangers" are first distinctly noticed in a proclamation of 1534[1] when they were already beginning to give trouble. In this proclamation it is stated that many strangers are come into this realm who, although they were baptized in their infancy, yet have, in contempt of the Holy Sacrament of Baptism, "rebaptized themselves." They also deny the reality of Christ's presence in

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[1] Wilkins' Concil., iii. 779.

CHAP XI

A.D. 1535

the Holy Sacrament of the altar, and are guilty of other pestiferous heresies. They are ordered to depart out of the realm in twelve days, under pain of death. But to depart was as dangerous as to stay; and some at least remained, for in the same year Cromwell's famous pocket-book has the memorandum, "First, touching the Anabaptists, and what the King will do with them."[2] Stowe says, in his Chronicle, that nineteen men and six women, born in Holland, were examined in St. Paul's, on May 25, 1535, and that fourteen were condemned, of whom a man and a woman were burned in Smithfield, and the other twelve sent for execution to other towns.[3] These were probably the persons respecting whom Cromwell had made his memorandum: and considering the cruel custom of the age one cannot wonder that persons so utterly heretical should have been condemned, however much the cruelty of the law may be lamented.

Anabaptists burned

A.D. 1538

Fresh immigrations of the sect took place, however, and they again became so troublesome that a commission was issued to Archbishop Cranmer and others, on October 1, 1538, in which their principles are described as pestiferous and heretical, and in which the Archbishop and the other bishops are enjoined to take stringent measures for their suppression.[4] This resulted in a set of Injunctions which were issued in 1539, restraining the importation of books, condemning the tenets of the Anabaptists, and forbidding disputations about the Blessed Sacrament or unauthorized abolition of ceremonies.[5] Some of the Anabaptists were made to bear faggots in token of recantation, and on April 29, 1540, there appear to have been some more of these unhappy people burned.[6] It is these latter, probably, of whom Latimer spoke in a sermon preached before Edward VI. :—

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[2] Ellis' Orig. Lett., II. ii. 120.

[3] He gives their opinions; [1.] That Christ was only God. [2.] That he did not take flesh and blood of the Virgin Mary. [3.] That children of persons not Christian may be saved. [4.] That Baptism of infants is useless. [5.] That the Sacrament of Christ's Body is only bread. [6.] That none can be saved who sin after Baptism. Stowe, p. 571.

[4] Wilkins' Concil., iii. 836.

> "The Anabaptists," he says, "that were burnt here in divers towns in England (as I heard of credible men, I saw them not myself) went to their death even *intrepide*, as ye will say, without any fear in the world, cheerfully. Well, let them go. There was in the old doctors' times another kind of poisoned heretics, that were called Donatists; and these heretics went to their execution, as though they should have gone to some jolly recreation or banquet, to some belly cheer or a play. And will ye argue then, he goeth to his death boldly or cheerfully, *ergo*, he dieth in a just cause? Nay, that sequel followeth no more than this, 'a man seems to be afraid of death, *ergo*, he dieth evil.' And yet our Saviour Christ was afraid of death Himself. I warn you, therefore, and charge you, not to judge them that be in authority, but to pray for them."[7]

Their dangerous tenets

In the beginning of the same sermon Latimer speaks of "a certain sect of heretics that will have no magistrates or judges on the earth," five of whom he has heard of in one town; and it is evidently the Anabaptists that he is here also referring to. They were, in fact, becoming very dangerous by the contagious rapidity with which their socialist and infidel principles spread among the lower classes, and did much towards alienating the latter still further from the Church. Poor Bishop Fisher's words to the Convocation in his speech on the Supremacy seemed as if they were going to be realized, and the nation had "leaped out of Peter's ship to be drowned in the waves of all heresies, sects, schisms, and divisions."

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[5] Wilkins' Concil., iii. 847.

[6] Stowe, p. 579. Yet at the end of a proclamation about ceremonies issued in 1538, a general pardon was given to all Anabaptists and other religious offenders up to February 23rd of that year.

[7] Latimer's Sermons, i. 144, ed. 1824.

During the remainder of Henry the Eighth's reign the anti-Church party went on gaining strength in spite of the aversion which the King bore to them. They had the secret support of Cromwell until his death, and no small encouragement from the Erastianism of Cranmer; while the profligate Duke of Suffolk, the King's brother-in-law, was altogether on their side. The restraint which the King placed on the actual Reformation in his latter years was much in their favour, for there was a widely-spread desire for its completion, and in the absence of an official re-settlement of the Church, men were tempted to innovate and to give way to innovators; and thus to go into wild extremes for want of wise and authoritative guidance. The end was that when, in the next reign, attempts were made to carry on the Reformation in the direction in which it had been begun, a large party had been consolidated whose object was to destroy the ancient Church of England, and to found a new community in the place of it, from which the distinctive principles of the Church of England should be eliminated.

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